

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

January 9, 2006

CALL TO PODIUM:

Caroline Seiden
Planner

RESPONSIBLE STAFF:

Caroline Seiden
Planner

AGENDA ITEM:

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
	Joint Public Hearing
	Historic District
	Consent Item
	Ordinance
	Resolution
	Policy Discussion
X	Work Session Discussion Item
	Other:

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	06/01/2005
	06/08/2005
Hearing Date	06/20/2005
Record Held Open	Indefinite
Policy Discussion	

TITLE: Z-301 and SDP-05-003

The Applicant is Requesting a Change From the I-3 (Industrial Office Park) Zone to the Mixed Use Development (MXD) Zone on Approximately 40.10 Acres of Land known as Casey East (Parcels 360, 563 And N455). The Subject Property is located Northwest of the Intersection of Maryland Route 355 (North Frederick Avenue) and Watkins Mills Road. In conjunction with the Change in Zone, SDP-05-003 Proposes a Mix of Uses, including 445 Residential Units, And Office, Restaurant, Retail, Hotel, Service Station, and Public Uses.

SUPPORTING BACKGROUND:

In 2002, the Casey East property was the subject of a rezoning application (Z-294) and also received concept plan approval, CSP-02-001 for R&D development, restaurants and offices. Z-294 has since been withdrawn (Z-301 Exhibit #4).

In May 2005, Gary Unterberg of Rodgers Consulting, Inc., representing the applicant, Pete Henry, BP Realty Investments, submitted an application, Z-301, requesting a change from the I-3 (Industrial Office Park) Zone to the Mixed Use Development (MXD) Zone. Concurrently, an application for a schematic development plan proposal, SDP-05-003, for a mixed use complex was submitted. The subject property is located northwest of the intersection of Maryland Route 355 (North Frederick Avenue) and Watkins Mill Road, Gaithersburg, Maryland. Uses include residential units, office, restaurant, retail, hotel, service station, and public uses on approximately 40.10 acres of land.

A consolidated joint public hearing was held for both applications on June 20, 2005. The applicant has further refined the plan since the joint public hearing. During the course of the public hearing, the Mayor and City Council and the Planning Commission indicated the plan needed substantial improvements.

Since the public hearing, the development team in consultation with Torti Gallas and Partners has made significant changes to the plan. The updated plan includes a new use (hotel), and a greater mix of residential unit types. The initial plan proposed 303 residential units, including 18 loft units, 10 townhouses and 275 multi-family units. The current plan proposes 445 residential units, including 18 townhouses, 2 cottages, 240 multi-family units, and 185 age-restricted units.

Attachments:

Z-301 Index of Memoranda and Exhibits identified in **bold**.
SDP-05-003 Index of Memoranda and Exhibits identified in **bold**

DESIRED OUTCOME:

Hear presentation and provide guidance. Both the Planning Commission and the Mayor and City Council records remain open.

INDEX OF MEMORANDA
Z-301

- | No. | Exhibit |
|-----|---|
| 1) | Application for Amendment to the Zoning Map |
| 2) | List of Property Owners, Parcels 360, 563 and N455 |
| 3) | Letter to Greg Ossont from Gary Unterberg, May 19, 2005 |
| 4) | Letter to Greg Ossont from Gary Unterberg withdrawing Z-294, May 19, 2005 |
| 5) | Receipt for the application fee |
| 6) | Copy of Receipt for Z-294 application fee, June 25, 2002, to be applied to Z-301 application |
| 7) | Statement Demonstrating General Compliance of BP Realty Investments, LLC Application for MXD Zoning with Applicable Master Plan Recommendations |
| 8) | Memorandum in Support or Rezoning Request |
| 9) | List of Adjacent Property Owners |
| 10) | Letter requesting publication of the Legal Advertisement in the June 1 and June 8, 2005 edition of the <i>Gaithersburg Gazette</i> with attached facsimile transmittal confirmation |
| 11) | Notice of Joint Public Hearing sent June 1, 2005 to required parties |
| 12) | List of all parties notified |
| 13) | 1997 Neighborhood Six Master Plan, Study Area Three |
| 14) | Cover Sheet and Land Use Plan (Sheet 1 of 6) |
| 15) | Sketch Plan (Sheet 2 of 6) |
| 16) | Phasing Plan (Sheet 3 of 6) |
| 17) | Recertified Natural Resources Inventory/Forest Stand Delineation (Sheet 4 of 6) |
| 18) | Boundary Survey (Sheet 5 of 6) |
| 19) | Preliminary Forest Conservation Plan (Sheet 6 of 6) |

- 20) Cover Sheet and Land Use Plan, reduced copy (Sheet 1 of 6)
- 21) Sketch Plan, reduced copy (Sheet 2 of 6)
- 22) Phasing Plan, reduced copy (Sheet 3 of 6)
- 23) Recertified Natural Resources Inventory/Forest Stand Delineation, reduced copy (Sheet 4 of 6)
- 24) Boundary Survey, reduced copy (Sheet 5 of 6)
- 25) Preliminary Forest Conservation Plan, reduced copy (Sheet 6 of 6)
- 26) Agency Transmittals
- 27) City of Gaithersburg Zoning Map with Site Identified
- 28) **Letter from Steven D. Foster, State Highway Administration, to Trudy Schwarz, July 12, 2005**
- 29) **Minutes, City Council Meeting, June 20, 2005**
- 30) **Transcript of Joint Public Hearing, June 20, 2005**
- 31) **Notice of Joint Worksession on Z-301 and SDP-05-003 sent December 22, 2005 to required parties**
- 32) **List of all parties notified, revised**
- 33) **FAX Transmittal and Memorandum to Russell Walto, State Highway Administration from Brian Horn and Kendall Drummond, Rummel, Klepper & Kahl, LLP, August 26, 2005**
- 34) **Letter to Caroline Seiden from G. Thomas Waite, III, Treasurer, CFO of The Humane Society of the United States, July 8, 2005**
- 35) Revised Cover Sheet and Land Use Plan (Sheet 1 of 6)
- 36) Revised Sketch Plan (Sheet 2 of 6)
- 37) Revised Phasing Plan (Sheet 3 of 6)
- 38) Recertified Natural Resources Inventory/Forest Stand Delineation (Sheet 4 of 6)
- 39) Boundary Survey (Sheet 5 of 6)
- 40) Revised Preliminary Forest Conservation Plan (Sheet 6 of 6)

- 41) **Revised Cover Sheet and Land Use Plan (Sheet 1 of 6), reduced copy**
- 42) **Revised Sketch Plan (Sheet 2 of 6), reduced copy**
- 43) **Revised Phasing Plan (Sheet 3 of 6), reduced copy**
- 44) **Recertified Natural Resources Inventory/Forest Stand Delineation (Sheet 4 of 6), reduced copy**
- 45) **Boundary Survey (Sheet 5 of 6), reduced copy**
- 46) **Revised Preliminary Forest Conservation Plan (Sheet 6 of 6), reduced copy**

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

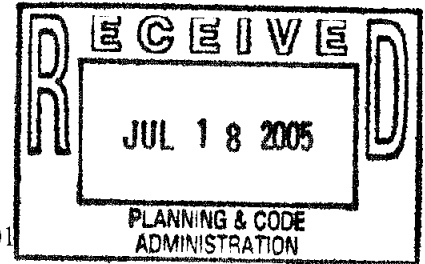


Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

July 12, 2005

Ms. Trudy Schwarz
City of Gaithersburg
31 Summit Avenue
Gaithersburg, MD 20877-2098

Re: Montgomery County
MD 355
Casey Property West
SDP-05-003 and Z-301




Dear Ms. Schwarz:

The State Highway Administration (SHA) would like to thank you for the opportunity to review the schematic development plan and zoning application for the Casey West property development. We have reviewed the information and offer the following comments at this time:

- Site access to this property along MD 355 is subject to the "Rules and Regulations" of this Administration with a permit issued by this office for one (1) full movement access point at the MD 355/Travis Avenue intersection and one (1) commercial, right-in/right-out entrance along MD 355. Access improvements may include, but are not limited to, full acceleration and deceleration lanes, left-turn lanes, and signal modifications along MD 355 at Travis Avenue.
- It will be the developer's responsibility to construct the approved alignment for the Watkins Mill Road extension along the property frontage up to and including the intersection of MD 355 and Watkins Mill Road.
- Five (5) copies of the traffic study need to be submitted so the appropriate divisions within the State Highway Administration (SHA) can make the necessary review.
- The plans have been forwarded to the Project Planning Division within the State Highway Administration (SHA). We will provide written comments within 30 days based on their review.

If additional information is required from SHA regarding this project, please do not hesitate to contact Mr. Gregory Cooke at 410-545-5602, Mr. John Borkowski at 410-545-5595, or by using our toll free number in Maryland only, 1-800-876-4742 (x-5602 for Greg, x-5595 for John). You may also E-mail Greg at gcooke@sha.state.md.us or John at jborkowski@sha.state.md.us. Thank you for your cooperation.

Very truly yours,


Steven D. Foster, Chief
Engineering Access Permits Division

SDF/jb

cc: Mr. Darrell Mobley (Via E-mail)
Mr. Russell Walto (w/ copy of plan)
Mr. Mark Lotz (Wilson T. Ballard Co.)
Mr. Dusty Rood (Rodgers Consulting, Inc.)

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com





Gaithersburg

A CHARACTER COUNTS! CITY

CITY OF GAITHERSBURG
MINUTES OF A REGULAR CITY COUNCIL MEETING
JUNE 20, 2005

A meeting of the Mayor and City Council was called to order at 7:30 p.m., Mayor Katz presiding. Council Members present: Alster, Keller and Marraffa. Absent: Council Members Edens and Schlichting. Staff present: Assistant City Manager Felton, Finance and Administration Director Belton, Planning and Code Administration Director Ossont, Engineering Services Director Mumpower, Planner Seiden, Planner Patula, Associate Planner Marsh, Lieutenant Campbell, City Attorney Borten and Administrative Assistant Stokes. Planning Commissioners present for the joint public hearings: Bauer, Hopkins and Winborne.

I. PLEDGE OF ALLEGIANCE

The Pledge was led by Lieutenant Thomas Campbell, Gaithersburg Police Department.

II. INVOCATION

The invocation was led by the Reverend Glenn Calkins, Interfaith Pastoral Services, Shady Grove Adventist Hospital.

III. APPROVAL OF MINUTES

Motion was made by Council Member Alster, seconded by Council Member Keller, that the minutes of the Mayor and Council meeting held June 6, 2005, be approved.

Vote: 3-0

IV. PRESENTATIONS

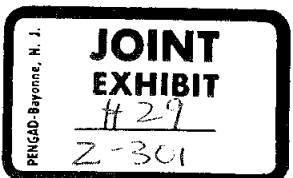
Report from the Ethics Commission

Dr. William Louis Piel, Chairman of the City's Ethics Commission, introduced the other members of the Commission (L. Lee Manuel and James W. Jacobs). The primary responsibility of the Commission is to review and ensure that all conflict of interest and financial disclosure statements from City Officials, employees and individuals appointed to serve in an advisory capacity for the City, are in compliance with the City's Ethics Code. The Commission is also responsible for enforcing any violations of this chapter. Reverend Piel thanked City Manager Humpton and Administrative Secretary Paxton for their continuous support.

V. FROM THE MAYOR AND CITY COUNCIL/ANNOUNCEMENTS

Council Member Marraffa

1. Announced an upcoming event: 6th Annual Shakespeare Project Festival on Friday and Saturday, June 24 and 25 at 8 p.m. at the City Hall Concert Pavilion in Olde Towne. He stated that this year's productions will be free performances of "Much Ado About Nothing."



2. Reported that as Vice-Chairman of the National League of Cities' Community Economic Development Committee, he attended a joint session with other committee members in Denver, Colorado. The vitality of cities was discussed regarding transportation and immigration. The Community Economic Development Committee also focused on block grant funds which had been reduced by Congress.

Council Member Alster

Reported he serves on the National League of Cities Information Technology Communication Committee which met to discuss issues regarding the internet, 911 service calls and franchise fees. He stated that the Committee will assist with the rewriting of the FCC Regulations to provide the best service for local jurisdictions.

Council Member Keller

1. Attended the grand opening of the Cultural Center of Taipei in Gaithersburg along with Mayor Katz. She also attended the City's Senior Center annual picnic.
2. She participated along with Mayor Katz, the ribbon cutting for the new Lakelands Park on June 18, 2005.
3. Attended a recent Council in the Communities meeting for the Brighton, Summit Hall, Brown's Addition and Observatory Heights communities and several issues were discussed. She asked staff to keep the City Council updated on those issues. She announced that follow-up meetings will be scheduled.
4. Announced a Council in the Communities meeting will be held on Wednesday, June 22, 2005 at Brown Station Elementary School at 3:30 p.m. for the residents of Pheasant Run, Orchard Hills and Seneca Mews.
5. Reported that the Montgomery County Planning Board will hold a public hearing and work session on Thursday, July 14, 2005 to evaluate the Washington Grove Humpback Bridge for designation on the Montgomery County Master Plan for Historic Preservation. She requested that staff investigate whether the historic designation will impact the City's repairing and enforcing of the bridge. She stated that if no consequences will result from the historic designation, then she proposed writing the Planning Board in support of the designation.
6. Attended a Montgomery County meeting held to discuss the proposed widening of Longdraft Road along with Mayor Katz and Council Vice President Marraffa. She requested that the City write a letter in opposition of the widening and suggest that the County be invited to a City work session to discuss alternatives.

Mayor Katz

1. Asked staff to move forward with drafting a letter regarding the historic designation of the Humpback Bridge as long as it doesn't preclude the City from repairing the bridge.
2. He expressed opposition to the widening of Longdraft Road and suggested a letter to include the wish list of the residents be sent before a decision is made.
3. Announced the City will not conduct a work session on Monday, June 27, 2005. The next regular meeting of the Mayor and City Council will be held on Tuesday, July 5, 2005.
4. Announced the 4th of July Celebration will be held at the Montgomery County Agricultural Center Fairgrounds. For additional information regarding scheduled activities and fireworks, visit the City's website at www.gaithersburgmd.gov.

VI. FROM ASSISTANT CITY MANAGER FELTON

Mr. Felton gave a Council in the Communities Program update to the Mayor and City Council. He stated that staff is working to follow-up on all the issues discussed with residents at the various community meeting. Also, staff is working to schedule a follow-up meeting with the Brighton community.

VII. CONSOLIDATED JOINT PUBLIC HEARINGS

1. **JOINT – Z-301, Proposal to Rezone 40.10 Acres of Land, Currently Known as Casey East (Parcels P360, P563, And N455) Located at the Northwest Intersection of MD Route 355 (North Frederick Avenue) and Watkins Mill Road, in the City of Gaithersburg, From the Existing I-3 (Industrial Office Park) Zone to the MXD (Mixed Use Development) Zone, in Accordance With §24-196 (Map Amendments) of the City Code**
2. **JOINT – SDP-05-003, Applicant Requests Approval for the Schematic Development Plan (SDP), Known as Casey East (Parcels 360, 563 and N455) in Gaithersburg, Maryland. The Proposed Plan Includes a Mix of Uses, Including 303 Residential Units, and Office, Restaurant, Retail, Service Station, and Public Uses on Approximately 40.10 Acres of Land. The Subject Property is Located Northwest of the Intersection of Maryland Route 355 (North Frederick Avenue) and Watkins Mill Road, the Applicant is also Requesting a Change From the I-3 (Industrial Office Park) Zone to the MXD (Mixed Use Development) Zone**

Mayor Katz was advised by City Attorney Borten to state that speakers from the public need to specify whether or not they are speaking for either one of the two of the hearing or speaking for both topics.

Planner Seiden stated that Z-301 is an application for a change in zone from the I-3, industrial office park zone to mixed use development zone and concurrently, there is an SDP-05-003 for approximately 40 acres which includes 303 residential units and 315,000 square feet of office, restaurant, retail, service station and public uses. She oriented the Council and Commission on the site.

Jody Kline, Miller, Miller and Canby, representing the applicant stated that the project integrates all of the land uses. He mentioned that a part of the property has been set aside for a District 6 Police Department that would be readily accessible to public transportation and would also serve the residents of the City and the county. He stated that the plan has not only residential and commercial components, but a valuable public component. He added that the Humane Society is interested in developing and integrating their property with the rest of the developing area. He stated that the plan has been around for a while, but has been revised with richness and a vitality that would be rare to find in the City because of its uses.

Gary Unterberg, Rodgers Consulting, Inc., oriented the City Council and Commission with the site and gave details about the proposed uses. Showing an aerial photo, he touched on the surrounding uses such as the Humane Society, stating that the site is off of 355, north of the IBM property. He stated that the plan includes office, restaurants, retail, service station, residential and public uses. He also reviewed the dedication for Watkins Mill Road from 355 which is to be extended to I-270 and the future continuation of Watkins Mill Road goes over the Casey West property to 117. The plan designates 275 residential units of multi-family and up to 350,000 square feet of office. He went through the details of a land use exhibit showing the roadways surrounding the property, green space, two stormwater management ponds, entrances and intersections on the property, and a future access and right-of-way to loop Professional Drive. He reviewed the mixed retail, office, restaurant and residential uses, future parking garage and future office building for the project. He stated that there will be two levels of parking and three stories of office building. He added that there are three financial institutions designed into the plan. The mixed structures of the project will be anywhere from one to five stories tall. He stated that the

location of the proposed public use designated to the City, has not been decided as of yet. In closing, he stated that the proposed plan would locate the police department at the intersection of Watkins Mill Road and I-270.

Doug Carter, Davis, Carter, Scott, Architect for the project, oriented the City Council and the Commission with the architecture of the plan. Mr. Carter stated that design guidelines would establish and allow the individual uses to express their own identity and at the same time achieve a degree of unity among the various buildings by controlling the materials, color, signage, common streetscape, landscaping and lighting for the project. He reviewed the access points off the streets to the buildings. He stated that the main street is lined on one side by the individual buildings and on the other side is retail on the ground floor with living units over the top. The project has several elements tying the buildings together such as a series of trellises, streetlights, hanging baskets, seating and bicycle racks. He stated that the applicant has received interest from high quality users for the project. He reiterated that the structures proposed for the project would be controlled so that the materials, colors and signage can be uniformed and give an urban feel to the entire project.

Planning Commission Chair Bauer questioned if they were going to receive a rezoning presentation from the applicant. Mr. Kline responded stating it would be submitted via a letter to staff. He stated that the MXD Zone was recommended in the Master Plan and the applicant is requesting to rezone the property in accordance with the Plan. Chair Bauer also asked for a general description for both the front and back of the buildings for the proposed development. Mr. Carter stated that the application focuses on the Frederick Avenue side, but would later address all sides of the buildings with the Planning Commission.

Council Member Alster questioned the story of the buildings along 355 which are predominately restaurants. Mr. Carter stated that the restaurants and office building would be one story with the exception of a corner building which would be higher.

Peter Henry, BP Realty Investments, LLC, further responded that all the buildings are four-sided architecture with similar materials so that the fronts and backs are the same. He stated that they are working with staff to ensure that the berming is maximized and further stated that other elements would be introduced to give a favorable appearance.

Commissioner Winborne questioned the traffic flow for the site. Mr. Henry responded that there are two ways in and out of the site off 355 at Travis Avenue and the public road entrance off Watkins Mill Road with additional lanes added. Gary Unterberg reviewed the traffic calming measures (raised intersections and various types of crosswalks, stop intersections, and traffic lights) for the Mayor and City Council and Planning Commission.

Council Vice President questioned whether the proposed police station would have its own entrance. Mr. Unterberg stated that there are opportunities with the design to have a designated right in and out.

Mayor Katz questioned plans to deal with the traffic generated from the project if the Watkins Mill Interchange is not built. Mr. Unterberg stated there are discussions with the county regarding the cost sharing of Watkins Mill Road. Wes Guthrie, The Traffic Group, further responded that enough of Watkins Mill Road will be developed to provide access to the project. He stated that a study of traffic generation will be conducted as a phase analysis with and without the 270 Interchange and forwarded to staff for review.

Commissioner Keller expressed support for the location of the proposed police department. She stated that the proposed public facility to be dedicated to the City would make an ideal location for a new senior center.

Mayor Katz asked the applicant to address the built out of the surface parking at an upcoming work session.

Speaker from the public were:

Daniel Reeder, 11520 Game Preserve Road, expressed support for the rezoning of the property. He asked that the City Council and Commission give consideration to environmental lighting and current setbacks along 355 and Watkins Mill Road for the project. He expressed concerns with the buildings coming close to the edge of the Watkins Mill right-of-way and Route 355. He also expressed concern with the removal of trees due to the build out.

There were no other speakers at the hearing.

Mayor Katz asked that

Motion was made by Commissioner Hopkins, seconded by Commissioner Winborne, that the Planning Commission record on the above consolidated public hearing, be held open indefinitely.

Vote: 3-0

Motion was made by Council Member Marraffa, seconded by Council Member Alster, that the City Council record on the above consolidated public hearing, be held open indefinitely.

Vote: 3-0

RECESSED THE MAYOR AND COUNCIL MEETING AT 8:48 P.M.
FOR A HISTORIC DISTRICT COMMISSION MEETING AND RECONVENED AT 8:50 P.M.

VIII. ORDINANCES AND RESOLUTIONS

1. Resolution Codifying and Updating a Schedule of Fees, Charges, Fines and Expenses

Planning and Code Administration Director Ossont stated the resolution codifies and updates the schedule of fees, charges, fines and expenses as provided for in the Ordinance of the City of Gaithersburg. Several proposed changes include but not limited to:

- New fee for Special Event permit application
- A new filing fee for new residential construction
- Increased application fees for administrative reviews
- Consolidated fees for zoning map amendments
- Increased fees for Fee in Lieu of Forest Conservation
- Increased fee for single family rental licenses

Additionally, there are a number of proposed changes which are proposed for clarification and other administrative purposes.

Motion was made by Council Member Alster, seconded by Council Member Keller, that a RESOLUTION CODIFYING AND UPDATING A SCHEDULE OF FEES, CHARGES, FINES AND EXPENSES AS PROVIDED FOR IN THE ORDINANCES OF THE CITY OF GAITHERSBURG (Resolution No. R-51-05), be approved.

Vote: 3-0

2. Introduction of an Ordinance to Amend Chapter 17 of the City Code Entitled "Personnel," Article I, Entitled "In General, " Section 17-4, to Revise and Clarify Medical, Dental, and Other Insurance Benefit Coverage for Active, Retired, and Disabled Employees and the Mayor and City Council

Finance and Administration Director Belton stated the Ordinance amends the Personnel Ordinance with regard to eligibility for the continuation of benefits for active, retired, and disabled employees and the Mayor and City Council and for survivors of retired/disabled employees. The Ordinance also includes some housekeeping, clarifying language and/or wording with regard to existing medical, dental and/or other insurance benefits addressed in existing portions of Section 17-4 of the Personnel Ordinance. He asked the City Council to introduce and notify the public of a public hearing scheduled for July 18, 2005.

Motion was made by Council Member Marraffa, seconded by, Council Member Alster, that the above Ordinance, be introduced.

Vote: 3-0

3. Resolution to Amend the City's Employee Retirement Plan

Finance and Administration Director Belton stated the resolution authorizes the City Manager to amend the retirement plan for City employees so as to establish a supplemental retirement benefit for qualified employees.

Motion was made by Council Member Alster, seconded by, Council Member Keller, that a RESOLUTION OF THE MAYOR AND CITY COUNCIL AUTHORIZING THE CITY MANAGER TO AMEND THE CITY OF GAITHERSBURG EMPLOYEE'S RETIREMENT PLAN SO AS TO ESTABLISH SUPPLEMENTAL RETIREMENT BENEFITS FOR QUALIFIED EMPLOYEES (Resolution No. R-52-05), be approved.

Vote: 3-0

4. Resolution Granting Approval of Road Code Waiver for RC-30

Planning and Code Administration Director Ossont stated the applicant North Gaithersburg Investment, LLC is requesting a road code waiver for Crown Farm Pointe Neighborhood. RC-30 requests a non-standard design paving width of 27 feet which consists of two 10 foot wide travels lanes, a 7 foot wide parking aisle, a 5 foot sidewalk and a 6 foot planting strip on Sharpstead Lane.

Motion was made by Council Member Alster, seconded by, Council Member Keller, that a RESOLUTION OF THE MAYOR AND CITY COUNCIL GRANTING APPROVAL OF ROAD CODE WAIVER FOR WIDTH, OF PROPOSED ROADWAY NAMED SHARPSTEAD LANE FOR CROWN POINTE FARM ANNEXATION PLAN X-181 (RC-30) (Resolution No. R-53-05), be approved.

Vote: 3-0

5. Resolution Granting Approval of Road Code Waiver for RC-31

Planning and Code Administration Director Ossont stated the applicant North Gaithersburg Investment, LLC is requesting a road code waiver for Crown Farm Pointe Neighborhood. RC-31 requests a narrowed design for Norwich Lane extended (A1 & A2) and a reduced paving width for alley section to 14 feet.

Motion was made by Council Member Marraffa, seconded by, Council Member Alster, that a RESOLUTION OF THE MAYOR AND CITY COUNCIL GRANTING APPROVAL OF ROAD CODE WAIVER FOR VARIABLE PAVING WIDTH FOR PROPOSED NORWICH LANE AND THE CONNECTING ALLEY FOR CROWN POINTE FARM ANNEXATION PLAN X-181 (RC-31) (Resolution No. R-54-05), be approved.

Vote: 3-0

6. Resolution Granting Approval of a Road Code Waiver for RC-32

Planning and Code Administration Director Ossont stated the applicant North Gaithersburg Investment, LLC is requesting a road code waiver for Crown Farm Pointe Neighborhood. RC-32 requests a narrowed design for Road A paving width of 32 feet, which consists of two 10 foot drive aisles, a 7 foot wide parking aisle, a 5 foot sidewalk and a 6 foot wide planting strip.

Motion was made by Council Member Keller, seconded by, Council Member Alster, that a RESOLUTION GRANTING APPROVAL OF A ROAD CODE WAIVER FOR PAVING WIDTH OF PROPOSED ROAD "A-1" OF CROWN POINTE FARM ANNEXATION PLAN X-181 (RC-32) (Resolution No. R-55-05), be approved.

Vote: 3-0

7. Resolution Awarding Matching Grants

This resolution authorizes the City Manager to award matching grants to Kentlands View Condominium (\$2,183) and Quince Orchard Park II Condominium (\$1,374) for landscaping upon determining that the projects are completed as proposed, in the total amount of Three Thousand Five Hundred Fifty-Seven Dollars (\$3,557); said funds to be expended from the Capital Improvements Budget.

Motion was made by Council Member Marraffa, seconded by, Council Member Keller, that a RESOLUTION OF THE MAYOR AND CITY COUNCIL AWARDING MATCHING GRANTS TO KENTLANDS VIEW CONDOMINIUM AND QUINCE ORCHARD PARK II CONDOMINIUM (Resolution No. R-56-05), be approved.

Vote: 3-0

IX. POLICY DISCUSSION

Z-299(o), Requests Rezoning 4.01356 Acres of Land, Currently Known as Lots 1 and 2 of Mardirossian's Addition to Gaithersburg, Located off Arrowsmith Court and Ararat Drive and Addressed as 18725 and 18731 Frederick Avenue, in the City of Gaithersburg, From the Existing C-2 (General Commercial) Zone to E-1 (Urban Employment) Zone, Under the Optional Method of Rezoning, in Accordance With § 24-196 (Map Amendments) and § 24-198 (Optional Method) of the City Code

Planner Patula stated a joint public hearing was held requesting the consolidation of the two lots mentioned above on May 2, 2005. She further stated that the Planning Commission made its recommendation for approval with nine conditions on June 1, 2005. Planner Patula gave a brief description of the master plan and zoning history for the City of Gaithersburg, reviewed the proposed use/zoning, the optional method of rezoning and the parking waiver of 10 spaces. Staff recommends approval of the request to rezone the subject property from the C-2 (General Commercial) Zone to the E-1 (Urban Employment) Zone. The following reasons constitute the rationale to support the rezoning of the property:

1. This rezoning would comply with the 2003 City Land Use Master Plan which recommends that these two parcels be combined and developed as industrial-research-office, similar to the existing properties and uses to the north and west of the parcels. The change in the neighborhood occurred because a land use policy for this neighborhood was developed as part of the revisions to the Land Use Designation recommended by the Master Plan, which promoted the rezoning of the property.
2. The proposed zoning and restricted uses in the accompanying Declaration of Covenant are compatible with the existing warehouse type uses to the north and west.
3. The proposed E-1 zoning and restricted uses provide a more sensitive response to the concerns of the nearby residential communities because of the lower number of allowable uses and lesser densities of these uses than those uses and densities permitted in the C-2 Zone.
4. The location of these two parcels, visibly removed and not easily accessed from Maryland Route 355, is not conducive to the purposes of the C-2 Zone, the current zone. The purpose of the C-2 Zone is "meant to include commercial uses serving the regional and local area, together with normal supplemental uses and other uses compatible with a cohesive and attractive shopping and office area." Section 24-24-116. The location is not amenable to a cohesive shopping and/or office area.
5. City staff supports the proposed parking arrangement using the basis of the parking counts provided by the applicant and staff's own on-site inspections.

Chair Bauer presented the Planning Commission recommendations for approval to the Mayor and City Council with the following nine (9) conditions:

1. Applicant is to revise the Covenant to specify that telecommunication facilities would be for roof top mounted antennas only;
2. Applicant is to record the Covenant for Z-299(o) in the Land Records of Montgomery County before the issuance of any permits;
3. Applicant is to provide a copy of the signed long-term lease agreement for the parking of vehicles on the private road prior to the issuance of any permits;
4. Applicant is to provide visual buffering of the use from Arrowsmith Court on the final landscape plan;


5. Applicant is to follow the design guidelines of the Frederick Avenue Corridor for the design of the building and signage. This is due to its proximity to Frederick Avenue and is a recommendation of the City Master Plan adopted in 2003 for the development of the parcels;
6. Applicant is to acquire a parking space waiver of ten (10) spaces from the Planning Commission at the time of final site plan approval;
7. Record Plat is to be recorded in the Land Records of Montgomery County prior to the issuance of any permits;
8. Applicant is to include the site plan, landscape plan, and architectural building elevations as part of the Declaration of Covenant; and
9. Applicant is to submit a typical conversion plan for the overhead doors at the time of final site plan review.

The Mayor and City Council directed staff to prepare the necessary documents for approval of the above with the Planning Commission's recommendations.

X. ADJOURNMENT

There being no further business to come before this session of the City Council, the meeting was duly adjourned at 9:08 p.m.

Respectfully submitted,

Doris R. Stokes 

Doris R. Stokes
Administrative Assistant

TRANSCRIPT OF THE
CONSOLIDATED JOINT PUBLIC HEARING
ON

Z-301 - Proposal to Rezone 40.10 Acres of Land, Currently Known as Casey East (Parcels P360, P563, And N455) Located at the Northwest Intersection of MD Route 355 (North Frederick Avenue) and Watkins Mill Road, in the City of Gaithersburg, From the Existing I-3 (Industrial Office Park) Zone to the MXD (Mixed Use Development) Zone, in Accordance With §24-196 (Map Amendments) of the City Code

SDP-05-003 - Applicant Requests Approval for the Schematic Development Plan (SDP), Known as Casey East (Parcels 360, 563 and N455) in Gaithersburg, Maryland. The Proposed Plan Includes a Mix of Uses, Including 303 Residential Units, and Office, Restaurant, Retail, Service Station, and Public Uses on Approximately 40.10 Acres of Land. The Subject Property is Located Northwest of the Intersection of Maryland Route 355 (North Frederick Avenue) and Watkins Mill Road, the Applicant is also Requesting a Change From the I-3 (Industrial Office Park) Zone to the MXD (Mixed Use Development) Zone

BEFORE THE
CITY OF GAITHERSBURG
MAYOR AND CITY COUNCIL
AND
PLANNING COMMMISSION
ON
JUNE 20, 2005

Transcribed by
Doris Stokes



PARTICIPANTS

MAYOR AND CITY COUNCIL

Mayor Katz
Council Vice President Marraffa
Council Member Alster
Council Member Keller

PLANNING COMMISSION

Chair John Bauer
Commissioner Matthew Hopkins
Commissioner Danny Winborne

STAFF

Planner Seiden
Planning and Code Administration Director Ossont
City Attorney Borten

OTHER SPEAKERS

Jody Kline, *Miller, Miller and Canby*
Gary Unterberg, *Rodgers Consulting, Inc.*
Doug Carter, *Davis, Carter, Scott, Architect for the Project*
Pete Henry, *BP Realty*
Wes Guthrie, *The Traffic Group*
Daniel Reeder, *11520 Game Preserve Road*

Katz This is a joint public hearing with the Planning Commission and it is a consolidated public hearing. It is on two topics, Z-301 and SDP-05-003. Both deal with the same topic, with the same piece of property in different ways. The first one is actually a rezoning request. The second, the applicant is requesting approval for a schematic development plan of the property if it were to be rezoned. Anyone that is going to speak for this public hearing, I have been advised by the City Attorney, we need to specifically say whether or not you are speaking for either one of the two hearings themselves or if you are speaking for both topics. And with that, if Caroline Seiden could please explain it further.

Seiden This is a consolidated joint public hearing. Z-301 is application for a change in zone from the I-3 Industrial Office Park Zone to Mixed Use Development or MXD Zone. And currently, there is SDP-05-003 for the 40 acres which includes 303 residential units and 315,000 square feet of office, restaurant, retail, service station and public uses. I will just orient you real quickly. The property is north east of the intersection of Frederick Avenue, North Frederick Avenue, 355 and this is Watkins Mill Road, 270 is along here and the property is slightly over 40 acres. Both the cream color pink and white are included in the 40 acres. Jody Kline is here to speak for the two applications.

Katz Thank you very much.

Kline Good evening. For the record, my name is Jody Kline. I'm with the law firm of Miller, Miller and Canby, representing the applicant in this case. And its interesting because a lot of the jurisdictions in which I still go and make presentations, they still tend to be in most cases mono-dimensional in terms of the uses that are proposed for it which is I guess a compliment to the City that the sophistication of your land use development process. This evening you are looking at a project that basically integrates all of the

land uses that you would like. The whole ball of wax is here in Casey East. Places to shop, places to live and most importantly if you remember when this came around before, places to eat, nice places to eat. There are places where you can be served with silverware and not through a window and that is going to provide as much vitality this side of any other land uses that come on with it. But the genius of the plan that you are seeing this evening as compared to the one which we presented to you a couple of years ago was the integration of public uses in this property. The evolution of the plan, the discussion with other public agencies have now identified that this would be a very appropriate location potentially for the District 6 Police Station. And we have set aside part of the property for that purpose in a location that would be readily accessible to all public transportation networks, but all to serve the residents of this City and the county. It is an interesting situation where we can accommodate the security needs of upper and mid Montgomery County in way that they can actually contribute to the development. Going beyond however in discussion with the City, it has been pointed out that it would be wonderful if we can insert more public uses. So we have actually identified a location and Mr. Unterberg is going show you this evening and make it available to the City for anyone of a number of land uses you are presently considering to add to the richness of this entire community that we are actually talking about creating. So the dimension that you have today that you didn't have before where it had mostly residential and commercial components, now it has a large and very valuable public component. And as that relates to this Watkins Mill area, I wanted you to understand that this property is being planned in a larger context than just are on site. We are doing this in collaboration with the Humane Society. They have an interest in developing their own property. They may have an interest in how the property would develop. So we wanted to make sure that we would integrate with them and Mr. Unterberg will explain how that is being handle and in fact, there are representatives here from the Humane

Society monitoring this evening just to make sure that we are working together to have something appropriate in this area. In summary, the plan has been around awhile, but it so much more sophisticated today. And it has richness and a vitality that I think you rarely find in the City and has uses that I know the City very strongly supports and would like to get more of and that primarily the eating, dining and retail and functions. We are going to do this kind of like we have done in other cases. Mr. Unterberg is going to go into a lot more detail about the uses. Doug Carter the architect and designer will make the presentation and then we will answer specific questions you have after that.

Katz Thank you.

Unterberg Good evening. Gary Unterberg with Rodgers Consulting. What I would like to do walk over to the exhibit and start off with an aerial photo to again spot the surrounding uses, the Humane Society. The site is off of 355, north of the IBM property. Recently, this year there is a plan approved for the monument realty and office complex on the north portion of the IBM property. The 40 acres is directly north of that. This building right here along 270, 270 being right here, this is the Humane Society. That fits at the end of Professional Drive. Professional Drive actually is just the intersection of 355; it is just off this photograph. Professional Drive comes along and terminates right now at the Humane Society. We are going to talk about Professional Drive and how that would be incorporated or looped through this project. This is the sketch plan and there are four area or four bubbles on the sketch plan for the MXD zoning. The pink or salmon color is approximately a little over 28 acres and that represents 310,000 to 315,000 square feet of mixed use development. That includes office, restaurant, retail, service station, residential and public uses and that is in the salmon or pink color. The cream color is the dedication for Watkins Mill Road. Watkins Mill Road from 355 is to be extended to 270.

There is the future interchange at 270 and then Watkins Mill Road will continue over with the Casey West property to 117 in the future. There are two other bubbles on this drawing. There is a small sliver or out lot between Watkins Mill Road dedication and the Monument Realty property. That would be included in our green space calculations. And then there is a white area that we've labeled phase two. And there are two designations on this. One is a designation of 275 residential units and that would be a multi-family for sale product or we will be up to 350,000 square feet of office in this area. In this we look at resolving that right now. There are a couple options on the table as we go through the process here. This is shown in bubble format on the SDPs. We have not clarified that use for the details in that area right now. And with that I think Jody Kline has some handouts that we want to pass out which has this exhibit and also land use exhibits so you can follow along as we walk through the details. This is moving into the SDP and the level of the SDP right now. Again on the north side is Route 355. To the south is the future Watkins Mill Road. The site basically is high and Watkins Mill Road, it drains to the north. There is a stream valley, and intermittent stream in the center of the site and that is the darker green area here. To the north are transmission lines, PEPCO utility poles. And we are locating two stormwater management ponds to the north side of the sites and sense it is high along Watkins Mill Road and then drains to the north. We the street location and the general layout of the property. At Travis Avenue, there is an existing stop light. That would be one of the entrances to the property. That would come in and then intersect with what we are calling our Main Street. And then Main Street would run pretty much north to south. There is a building at the one end terminating the views and anchoring the Main Street. And then at the corner of 355, future Watkins Mill Road there is one of the larger retail buildings that anchors at Main Street also and establishes a building front along the intersection of Route 355 at Watkins Mill Road. And we are going to be talking this Main Street in a little bit more detail

as we go through with the architecture. One of the streets that transect the Main Street is this street running from East to West. This would be a right in, right out on 355, no median break. Now as that comes through, we get to, again we come to the corner with the Humane Society. This is the existing Humane Society property. This is Professional Drive as it comes down and that terminates into their parking lot that loops around. Their building is right in this location. Right now and it was envisioned years ago that Professional Drive would work its way through and back out to 355 somehow. There are one the parcels that's included in this application is a skinny strip about 30 feet that cuts right through here and that is under contract to BP Realty from the Humane Society and that is included in the application. That was to be the future access and right of way to loop Professional Drive or help facilitate that. In addition to that, there is another, and I am calling this the s-curve alternative. There is another 30 foot that came along the western edge of the property and then up along the northern end of the Humane Society property and connected back into a t-intersection with Professional Drive. With coordination with the Humane Society and to facilitate a public road, and additional right-of-way will be required on this northern property line from the Humane Society and we would do the s-curve that would come along the property line and then connect into our transect street that comes back to 355. That's one option and that is what was plated years ago and then would be an option that could be facilitated sooner versus later. Looking at the big picture and talking with the Humane Society, we look at another option for this road. For Professional Drive to come straight through the middle of the property, loop through a more direct route and then come through and then connect into the proposed road layout with our transect street. If you notice, this goes right through their existing building right now. So this would be a longer term solution. Planning wise, I think everyone that has looked at this, views this as a better solution except for one minor detail. There is a building in the way. Now with their cooperation, is that the best

solution and would that facilitate some further development on the Humane Society property and that would be an ongoing conversation right now. And of these two alternatives which one that works best short term, long term and for both parties involved. With that, I am going to go to another exhibit. This we are calling the land use plan and we have color coded the difference uses and the mixture of uses. I'm going to walk you through them briefly and then after that Doug Carter is going to come and talk about the architectural character and the Main Street itself. In the pink we are highlighting the retail uses, primarily retail. Again on the corner of 355, Watkins Mill Road we have a retail building. We have labeled this mixed use so there might be some office incorporated in that building. Although this is likely to be a major retail anchor at this location. As we go from south to north along Main Street, you will see other pink uses. This is a retail use and this would be a (inaudible) use for a future parking garage and a future office building. That would be on the first floor and then this would be surface parking where the purple is right now. In the future, what we are calling phase 2A, this would be a parking structure where the purple is which would also go over top. You have retail on the first floor. This would be two levels of parking and then three stories of office building designated by the purple color here on top of that. So this would be a phase mixed use building. The first phase would be retail, surface parking, and then the second phase would be structured parking and office over top of that. As we continue up the Main Street. The red buildings are free-standing restaurants, designed to draw national tenants, national sit down restaurants. There are five of those all together in the red. Again as we continue up on the south side of Main Street, we have pink shown where the retail component and then brown shown for a residential component. These we are calling a mixed use or a loft building. This is one story of retail on the Main Street and then three stories of townhouse over top of that. These will be parked off an alley in the rear and then this lighter tan which is another residential component

are freestanding townhouses that would face out to the stream valley off of the alley. And again continuing north freestanding restaurant, the retail underneath and then as we continue north you will see a purple building and actually there is one terminating Main Street, that is a mixed used office building intended to be a bank. Notice the drive through configuration. We have do have three banks with three financial institutions that are designed into this plan. One at the end of Main Street and the other located towards the end of Main Street and then the third one over in this location off of Watkins Mill Road. That is primarily the Main Street component. As we come along the transect street. We have our second office building. Again this would be phase one which will be the retail component first floor. Surface parking in this purple area and then phase two will again build up on top of that where we would have structured parking in the purple area and then three stories of office building on top of that. Both of these office building will be a total of five stories tall. Two stories of parking underneath and then three stories of parking on top of that. So we come down, we come to an entrance off of Watkins Mill Road. This entranced aligns with the entrance that aligns with the entrance that was approved with the Monument Realty plan. And this would be the major Monument entrance off of Watkins Mill Road. Again we have a restaurant located at that corner, additional retail and then as we continue further west, we have a service station, gas station that located in the maroon color. Again we mentioned the bank in the purple and what that leaves me with are these two blue areas. This building T right across or adjacent to the entrance off of Watkins Mill Road is designated as a public use for the City and what you said is still being discussed and its primarily being proposed to the City right now. What is the best use for that, what type of center should that be? The other question that has been raised right now, is that the best location for that public use or should this be relocated and integrated primarily, one suggestion was this corner on building J, should that be located in this

location on the Main Street and made part of the Main Street fabric. But right now we have Building T designated for public use, a City center. That leaves us with the last building here which is Building S. This building is where the police station would be. This meets the program and size of the police station. Again that has not been determined yet, but this plan does facilitate the police station right at the intersection of Watkins Mill Road and 270. And this accommodates their program. And with that there is an additional 60 spaces on the tail end right next to the highway and would be reserved and used only for that use. And again that would facilitate that program. In the event that police station does not end up there, once again Building S, this would be used as mixed use retail or office building that would be incorporated within the fabric of the overall development. And with that, I am going to turn over to Doug Carter and let him walk you through some of the architecture.

Katz Ok. Thank you.

Carter Mr. Mayor and Member of the Council, Members of the Planning Commission, Douglas Carter from Davis, Carter, Scott, and we are the architects for the project. Actually you have looked at a lot of buildings. What I would like to say just as an introduction is we are very concerned about the public (inaudible), and if I could use the public (inaudible) in the sense of the spaces between the buildings and obviously the retail users will all want to express their own individuality. And that can sometimes lead to visual (inaudible). So what we need to do is establish some design guidelines that can allow the individual users to express their own identity and at the same time achieve a degree of unity among the various buildings by controlling the materials use, the colors use, the signage used and above all common streetscape and landscaping elements, lighting that can actually tie the whole project together. What I would like to do actually is focus on the Main Street and gives you perhaps just a short

overview of some sketches and then of some photographs of the project so that you can get a real feel for the kind of development that this could become. This first board is actually looking south on the Market Street and looking towards the taller building, a two story building which is at the junction of Watkins Mill and Frederick Avenue. You are looking down a street, you are not looking into what you may have seen in various places, a whole multitude of different restaurant spread out over an area and mixed in with restaurants in a similar random fashion. So our attempt here has been to really create an urban streetscape, albeit one that allows the individual buildings to express their own identity and indeed their own function. The restaurants and the bank pads that are sitting on the Frederick Avenue site will obviously be different in character where we can control the materials and the colors and so achieve a unified expression not just from our Main Street, but also as you look into the project from Frederick Avenue, you will notice that each of the building pads has its own related parking to it either at access points off of Main Street and then tied along behind. Then you will notice also that there are some gaps in between those buildings, we will talk about that in a moment. You can see the really deliberate way in which the pedestrian access really continues right the way through from south to north on both sides of the street. The one thing that is really important also is that this is not just a commercial center and I think we got a word for it, eyes on the street. And what you heard Mr. Unterberg speaking about is actually the start of what we hope will make this into a living environment along those (inaudible) 24 hours a day. And that is that Main Street is lined on the one side by the individual buildings and on the other side it is lined with retail on the ground floor and with living units over the top. And we are looking actually at something that is possibly in appearance something like this so that we are creating literally a townhouse appearance. It has retail all the way along the ground floor, and then we got the gap in between that gives access back to the preserve area and then three story residential units

over the top. And they are as you heard earlier accessed from behind. And so using similar kind of motives for both the retail and the residential, we can present a much more unified appearance. And moreover keep the environment living all day long. I talked a moment ago about the gaps between the buildings. And even in those gapped areas, between two typical buildings, we have created a series of trellises so that as you walk from north to south or south to north on Main Street, you will be seeing these kinds of elements tying the buildings together. You will be seeing these kinds of streets lights. You are looking at these kinds of trash baskets and seating. We will obviously have bicycle racks and so if we can control all of those elements, the spaces between the buildings can help be a very unifying element. And lastly, just give you although I will say that BP Realty is giving a tremendous amount of interest expressed by some pretty high quality users, we won't know until the leases are signed, who the actual users are. And so the architect that you look at on the sketches is of necessity and fairly loose. We can show you photographs of similar projects that we have created and so you can create a very urban and civic kind of architecture. These are just examples. We are not talking about these specifically as the use. There is the bank building and the previous one was the restaurant building and again here another bank building. And here's another series that would be actually in the same. And I know that there are a lot of images here, but it goes everywhere from a Carrabas restaurant with plenty on the roof, (inaudible) belly restaurant, bank buildings, and restaurants and if we can control the materials, the colors, the signage, we can present a very uniformed and a very urban feeling to this entire project. So that really is a state of the art if you will at the moment. And obviously we are all here to answer whatever questions you might have.

Katz

Ok. Thank you very much. Does that conclude your presentation Mr. Kline?

Kline Yes sir it does.

Katz Ok. Any questions of any of the presenters?

Bauer I just had two. The first is, was there going to be nothing in the presentation about the rezone because I know we are looking at that as the first component?

Katz Yes. This is their joint public hearing.

Bauer So there was really nothing said about that.

Kline And to be honest with you. I figured you rather talk about the color of brick and uses so I try to do that in written material. If there is something you felt need to be elaborated on?

Bauer I'm just curious. I read so I know it, but I'm not sure everybody in the audience knows about it.

Kline Let me say it this way. The MXD Zone is a zone that has been recommended in your Master Plan. We have an I-3 zoning on the property today. So we are talking about rezoning the property in accordance with the Master Plan that has been adopted since the original zoning. So you can look at it as somewhat of a change or mistake. I think basically, I premise for legal (inaudible) call that. That would be under the change in circumstances since the original zoning was placed on the property to make it consistent with both your 355 Corridor Plan which you adopted plus the special study that has been done for this area.

Katz Any other questions?

Bauer Yes. The other one real quick. A lot of the imagery I think is focus on what this looks at from within and I was I guess just looking for general description of what this appears, what's the image projects with out because there is 355 or Frederick Road is the major front door to this. And right now, at least in plan, we are really getting the backs of things from 355 or Frederick Road.

Carter In deed we have focused all of the uses inwards towards Main Street. We actually from the beginning were I think focused on giving the Frederick Avenue site a protection from the parking fields, obviously necessary to support these functions. And we did go through a lot of discussion previously in terms of how we can provide that kind of protection to Frederick Avenue as you drive by, but at the same time, the taller elements of the buildings, the towers, the dome on the top of the big retail building will actually be visible over the trees so that they would form more of a enticement. As you get to this junction, obviously this larger building is very much evidence right at the junction as a market for the property and then as you come along the Watkins Mill Road side, we've been a little sparer with the plantings there, but that indeed was the intention.

Bauer Ok. Thanks.

Katz As you know, if this is rezone then this obviously would go to work session as well as the Planning Commission would have to look at specific examples of all the buildings and whether or not they would have all four sides completed, etc. so that there are no backs to the buildings.

Alster But having said that, the stretch along 355 as you just described it as some sought of ornamental trees, shrubbery, what have you, and a series

of buildings that are predominantly restaurants, is it your intent that those would be one story buildings? There is one office building in there?

Carter Yes.

Alster And what would the office building be?

Carter The office building would be a one story building too. The only two story building.....

Alster So the buildings that basically closest to 355 would be single story building?

Carter With the exception of the corner building. So this whole stretch here is intended at the moment as just one story. It is possible that one of the restaurants might ask for an upper level. But I think we have to wait until the restaurants are identified.

Alster I was just trying to understand your answer to John Bauer's question in terms of what the property would look like from the 355 side.

Henry Peter Henry. I'm here to speak on both the sketch plan and the SDP. All buildings are four sided architecture. We typically build with brick, stone based, (inaudible) so that there is no apparent difference between front and back. The reason is they are long term investments for us. The shielding in the front, along Route 355, some of you may recall before were very deep. It had double rows and some triple rows of trees. In addition, we are working with staff to make sure that the burmning is maximized and that to the extent we need wood fences or other elements that would introduce a favorable appearance. I want to make sure we do it.

Katz Any other questions?

Winborne I just have one. Are we going to hear anything about the traffic in and out of the entire development? It looks like 355 is kind of the major in. Is Travis going to be the major intersection into this development?

Henry There are two ways in and out of the site primarily. One is off Route 355 at Travis Avenue. Originally, the last time we were here, that intersection wasn't the road leading to that intersection from our site, our Main Street. It was not really as long as the City's Traffic Engineer thought it should be. So it is part of this entire redesign that was stretched and widened to accommodate the appropriate number of trips (inaudible). Our traffic consultant Wes Guthrie and he can address specific questions on that if you want him to. In addition, the other main public road entrance is the one off of Watkins Mill. Watkins Mill has grown to a very significant; it started as four and went six lanes. We are picking up all (inaudible) and handling that. Not just our half, but Monument side as well. Those lanes have also been sized to the appropriate trips generated and flow through traffic.

Winborne Could we hear some about the traffic controlling measures that are planned or least proposed?

Henry Sure you mean traffic calming?

Winborne Yes.

Henry Gary will be best for that, Gary.

Unterberg Along the Main Street let me walk through a few things. This is going to be more of a menu of options that we have right now. The Main Street itself is two lane and we have parallel parking along the whole street. And with that we have necked down each of the intersections with the bump outs that protect and narrow down the intersections with the crosswalks. And, a couple of options that we haven't worked out all the details on is the intersection raised elevated so that you have that bump as you go through the intersection or just the crosswalks raised. Again elevating the crosswalk. We have looked at changing materials for the crosswalks so as you drive down through this Main Street and as you come in off of Travis, you come in; we have a stop condition with the T intersections so you have to stop and then turn on to the Main Street. We have the first intersection here again narrowed down with either the option of either raising the intersection or raising the crosswalks or changing the materials at the crosswalks. As you come south, we have another intersection here again with a mid block crosswalk. This is a transect, I will call it an alley because this where our parking, you can get access to the parking behind the buildings along 355 and then you get to this parking field which is in building B, which would be surface under phase one. And then again as you come through we have another intersection neck down with the crosswalks and change in the (inaudible), etc. We have not included in roundabouts on this plan and we have talked with staff about that primarily because of the distances from 355 to the Main Street. So we have taken the roundabouts out if you remember those from a couple of years ago. So again we are relying on the narrow street, the neck down intersection and then how we treat the difference intersections with the crosswalks would be the traffic calming.

Winborne Can you talk a little bit about coming off the Watkins Mill interchange and how that would play?

Unterberg Watkins Mill and this is the intersection off of Watkins Mill. The plans that I have seen, there would be a traffic signal at this location. As you come in there would be a monument entrance with the median. Again you come in and you come to this T intersection where again this would be a controlled intersection either with stop signs, either one direction or all three lanes of that intersection. And then again this would be raised or again the different menu of the different techniques to narrow down the intersection to change the material on the crosswalks. To either raise the whole intersection or raise just the crosswalks at this location. And then that comes up and transects with Main Street here.

Katz Ok.

Winborne One more thing. What about the approach from 270?

Unterberg As far as traffic coming from the future interchange?

Winborne Yes.

Unterberg Maybe this will be helpful. This is a graphic from State Highway which deals with the overall interchange for 270. This is 270; this is Watkins Mill Road, 355 to the east in this location. This is the property we are talking about tonight. The yellow is the interchange itself and all the ramps that come off of 270. This is from right to left. This is northbound. This is the exit ramp that comes up. There would be a light at this location, so this diamond configuration for the off ramp and on ramp. This would be a traffic light here and this is where you would turn and come to this location which is our main entrance. There is designated left turn lanes. I believe there are two of them at this location at this traffic light. Even though this is designed with a lot of lanes through here, there are several traffic lights and stop conditions. One being the existing 355. The new entrance right

here which on the right hand side would be the Monument Realty entrance, the left hand side would be the Casey East entrance and then right now, the current plans I've seen, there is a light here at this ramp configuration and also as we come west of 270, there is a light at this location also. So there is a series of traffic lights along the new Watkins Mill Road.

Winborne Ok. Thank you. Thank you Mr. Mayor.

Marraffa Gary was there any talk at all, if that was to become a police station there, given them their own entrance. Is that possible or not?

Unterberg There has been some discussion. And that is not in their program right now. We have gone through their published program which is not necessarily site specific. There would be some opportunities in this location for a particularly either right in or right out situation. With the design guidelines from the interchange and the location of the median break, we would not get a median break here. But there would be a possibility with this going to specific designs that you could have a designated right in and particularly a right out. Which could come from this parking bay and come directly out onto Watkins Mill Road and get to 270 north or south?

Katz And obviously I think that is probably too much detail for a schematic development plan, but if that were to happen obviously it would make sense to have them in area where there would be median breaks. But I guess my concern is much more than just the Watkins Mill Road Interchange and that's if it gets there. Which we sincerely hope it does, but that's if, what are you going to do about traffic before it gets there and until?

Unterberg Well, maybe Wes Guthrie can walk you through some of the traffic numbers. Part of this would be, with the project in particular, this right of way would be dedicated and then there are discussions right now with the county and how the cost of this road would be shared. Not 100 percent of this road is needed for this project. This would provide access off of 355 to get to this location for this entrance. I believe right now at the interchange, we have a ten lane section. A lot of this is for the retail traffic not the local traffic so there are discussions with the county right now.

Katz I guess we are going to have to hear from Mr. Guthrie. Because that doesn't answer my question. My concern is what happens for this project before and if Watkins Mill Road is not there?

Unterberg That would be for Mr. Guthrie.

Guthrie For the record, Wes Guthrie with the Traffic Group speaking on both projects. I think I understand your question. And that is we will be building enough of Watkins Mill Road back from 355 to provide access to our project at the median break.

Katz And all that traffic will come in from 355?

Guthrie Yes and from the main entrance at Travis.

Katz Which is from 355?

Guthrie Yes. You are exactly right. It would come from 355 by way of Watkins Mill or 355 by way of Travis.

Katz And how much traffic would be generated? That area now is congested. How much traffic would be generated before Watkins Mill Road would get there, if it gets there. How would those numbers work?

Guthrie We will be studying that. We will do it as a phase analysis without the 270 interchange and with the 270 interchange. So we will be providing that information to Ollie for him to review. Is that fair enough?

Katz Yes. That is exactly my concern. Any other questions?

Alster I had a question for Gary Unterberg. And Gary I'm not sure which is drawing it was that you had up there. You had a property layout with some colors that was a tan section and I believe a pink or salmon section which is where you have now identified some residential units, white I guess it is. Would you say that the white area that is on there which has in previous designs had multi-story office buildings, now shows retail on the first floor with some sought of living units, condos, and townhouses above.

Unterberg The white area in particular you are talking about?

Alster Yes.

Unterberg This is shown as the bubble on both plans, the zoning, sketch plan and the SDP and we have not detailed out the actual footprints on this bubble. We have noted on here and I'll just read it real quick. Mixed Use, 275 residential units (high density [inaudible] multi-family) with structured parking or 350,000 square feet high density office with structured parking.

Alster Ok. But when you showed us the plan with the street and the buildings on it, that was shown as some sought of residential units?

Unterberg Actually as we go to the land use, this is that same bubble again just shown in white with the same note.

Alster Thank you.

Katz The other thing and Stanley reminded me when we were talking about the future. During the work sessions, if you could address, if this were to be rezoned and you are saying in the beginning you would have surface parking for some areas?

Unterberg Correct for these two purple areas. That would surface parking.

Katz My concern is what you would be doing while you are building out the surface parking if you are no longer going to use the surface, obviously would be counted when you needed it in the beginning. How are you going to handle it while you are building it out?

Unterberg How it is phased. How we transition to the second phase?

Katz Yes. Any other questions please? This is the time that the Mayor and Council and the Planning Commission hear from anyone who would like to speak on this public hearing topic for these public hearing topics, please state whether you are speaking for one or the other or both. We ask that you please keep your remarks to no more than three minutes. I will advise you when you have 30 seconds left of your three minutes so that you can begin to finish your statement. Please note that any additional testimony can be submitted to the City in written form and will be a part of the record just as your oral testimony. Please state your name and address for the record. Do we have anyone who would like to speak on this topic, please? Mr. Reeder.

Reeder Daniel Reeder, 11520 Game Preserve Road. First off, I think it is a great idea to rezone this from the I-3 to the MXD. I think it fits in well in that area and its only 40 acres. We really don't need another industrial area in Gaithersburg. Secondly, back when this was Z-298, I testified on that plan and I indicated at that time that whatever went there under that current plan that I hope that the Planning Commission and the Council when they come to review the plans that there is great consideration done to environmental lighting on that project. In other words, let's focus the lighting in that area, provide enough lighting for the development for security purposes, but let's not have light go out in all directions as what currently happens with the rest of the development along Professional Drive. So I think you can do a lot better. You can set an example in this area. The last think I wanted to say about this particular project is, please give consideration to the setbacks along 355 and along Watkins Mill Road. I also indicated when it was Z-298, because wherever that right of way is, both this plan and that plan, it has the buildings coming fairly close to the edge of the Watkins Mill right of way and 355 and if you notice, Monumental, they didn't put their buildings right up against the road and with all projects in Gaithersburg. It is always a matter of when there will be expansion and need to widen things and hopefully you will look at that and maybe ask the question exactly how far are those buildings currently under this plan from the right of way. I mean you see the buildings, you see the nice green trees. You don't see any access to the back of the buildings on those plans. Certainly the trees would go if that's a part of the plan and you will then end up with this wall like development right up against roads. It would be similar to what happened there at Archstone. You know if you look at the Archstone one, Quince Orchard that building is built right up against the road. And if and when, it's really not if, it's when that road will be widened, the people on the other side of the road are going to have to suffer because it's easier to widen on a place where there

is available land. Ok, so please give that consideration and maybe the developer can address tonight what the current setback is. Thank you.

Katz Thank you. Anyone else in the audience please? Nobody else? One other item that I thought of, and I guess Mr. Unterberg, I believe is the one who said it, that there is a strip of green that is part of your green space, is that what you said?

Unterberg Let me put this exhibit back up. Were you talking about this?

Katz I believe that is what you said.

Unterberg There is, with the alignment of Watkins Mill Road, there is an additional strip of land that is basically separated from the rest of the property. And that would be landscaped and incorporated as part of the green space along Watkins Mill Road. It is outside the right of way that is needed for Watkins Mill Road.

Katz Is the green space, I mean I understand that you are landscaping it, but is the green space that tight on there that you have to count that?

Unterberg It is basically a left over piece. And we do have the stream valley and we will be incorporating with the remainder of the site, we will be integrating the green space.

Hopkins Do you have a preliminary percentage?

Unterberg Off the top of my head I don't, but that is something we can get you.

Katz At work session that would be good. Thank you. Any other questions or comments?

Keller I have a couple of comments. The location of the police department there I think is absolutely an excellent location. I am aware of other locations that were being looked at in the county and I don't think any of them come close to being as ideal as this one is. I think the county police must be very excited about that. The other thing that I would just like to make a comment on is the public facility space that the builder is trying to dedicate to us and I think that would make an ideal location for a new senior center which I keep saying, we need a new senior center. I'm the only one saying it but I'm going to keep saying it. And so I would like to stake that out for the future for a senior center.

Katz Any other comments? If not, it has been suggested that the Planning Commission and the Council obviously hold their record open indefinitely, what is the pleasure of the Planning Commission?

Bauer I guess we should make a motion for the Planning Commission to hold their record open indefinitely.

Hopkins I would like to make a motion that the Planning Commission hold their record open indefinitely on Z-301 and SDP-05-003.

Winborne Second.

Bauer All those in favor?

Commission Ayes (3-0).

Bauer The Planning Commission will hold their record indefinitely Mr. Mayor.

Katz I have the feeling that we are going to do the same thing. What is the pleasure of the Council?

Marraffa Mr. Mayor I move that we hold the record open on Z-301 and SDP-05-003 indefinitely.

Alster Second.

Katz It's been moved and seconded. All those in favor please say aye?

Council Ayes 3-0.

Katz Those opposed? It carries unanimously. This concludes the joint public hearing.

End of Joint Public Hearing for
Z-301 and SDP-05-003



MEMORANDUM TO: Mayor and City Council
Planning Commission
City Manager Humpton
Interested Parties

FROM: Administrative Assistant Stokes

DATE: December 15, 2005

SUBJECT: Topics of Mayor and Council
and Planning Commission
Work Sessions

Meetings begin at 7:30 p.m. in the Council Chambers, City Hall, unless otherwise noted.

Monday, December 26, 2005

- *No Work Session*

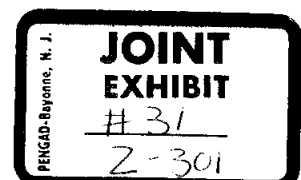
Monday, January 9, 2006

- **Joint Work Session on Z-301 and SDP-05-003**

Z-301, Proposal to Rezone 40.10 Acres of Land, Currently Known as Casey East (Parcels P360, P563, And N455) Located at the Northwest Intersection of MD Route 355 (North Frederick Avenue) and Watkins Mill Road, in the City of Gaithersburg, From the Existing I-3 (Industrial Office Park) Zone to the MXD (Mixed Use Development) Zone, in Accordance With §24-196 (Map Amendments) of the City Code

SDP-05-003, Requests Approval for the Schematic Development Plan (SDP) for the Same Property Above. The Proposed Plan Includes a Mix of Uses, Including 303 Residential Units, and Office, Restaurant, Retail, Service Station, and Public Uses on Approximately 40.10 Acres of Land

This schedule is subject to change. Work Sessions are broadcast over Cable TV, Channel 13 and on the Internet at www.gaithersburgmd.gov/tv. Receive City agendas, minutes and news via e-mail. Log on to the myGaithersburg e-mail-based news service at www.gaithersburgmd.gov/myGaithersburg. Please contact 301-258-6310 prior to meetings to confirm accessibility accommodations.





Caroline

Maryland Department of Transportation
State Highway Administration
Engineering Access Permits Division
Voice: 410.545.5603 Fax: 410.209.5026

facsimile transmittal

To: TRUDY SCHWARZ Fax: (301) 258-6336
(City of Gaithersburg)
From: John Boskowsky (SHA-Access Permits) Date: SEPT. 14, 2005
(410) 545-5595
Re: CASEY PROPERTY REVIEWS Pages: 5

CC:

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Notes/Comments:

Attached are comments on the Casey Properties (East and West)
from the consultant reviewing staff for SHA-Project Planning
Division. Please feel free to contact me or the contact
persons on the memos if you have any questions.

John

PENGLAD-Bayonne, N. J.

JOINT
EXHIBIT
#33
2-301

Memorandum

Date: August 26, 2005
To: Russell Walto, SHA – Project Planning Division
From: Brian Horn, RK&K
Kendall Drummond, RK&K
Project: I-270/US 15 Multi-Modal Corridor Study
Shady Grove Metro Station to Biggs Ford Road
Subject: Casey Property East Development Review (dated May, 2005)

Rummel, Klepper & Kahl, LLP (RK&K) has evaluated the Casey Property East Development Review (dated May, 2005), which is located along northbound I-270 (east side) at the proposed Watkins Mill interchange, north of the existing I-270/MD 124 interchange. The I-270/US 15 Multi-Modal Corridor Study is currently in the Project Planning Phase, and additional/refined right-of-way impact information will be available as the project moves forward. This is a memo submittal only, there are no drawings accompanying this transmittal. Continued coordination will be needed between the developer, State Highway Administration, and Montgomery County as the preliminary designs progress, including the potential Express Toll Lane (ETL) concept, to ensure that adequate right-of-way is reserved for the ultimate I-270 configuration. RK&K offers the following comments:

I-270 Highway Improvements

The preliminary improvements along I-270 southbound in the vicinity of the Casey East Development Review (dated May, 2005) propose widening the existing four lanes per direction to up to seven lanes per direction (DEIS Alternates 3A/B, 4A/B, and 5A/B/C typical section from MD 124 to Middlebrook Road). In addition, the Express Toll Lane (ETL) concept and direct access ramps to/from the center of I-270 are proposed for this area. The ETL direct ramps would be located at either the proposed Watkins Mill Road Interchange, or a Metropolitan Grove Direct Ramp Bridge that is just south of the proposed Watkins Mill Road interchange. The Metro. Grove Direct Ramps are still under development, but preliminary concepts do not directly affect the Casey East Development layout because they are oriented to the west over SB I-270. However, the Metro. Grove Ramps are still under development and the inclusion of these ramps may affect the final roadway width and the final location of the Watkins Mill Road Interchange ramps.

Potential shifting of the proposed Watkins Mill Road Interchange ramps may affect the Casey East Development Plan by shifting the northbound ramp terminal intersection towards the east. The development plan indicates parking spaces with an underground stormwater management facility [SWM 3 (Underground)] in the NE quadrant of the



Rummel, Klepper & Kahl, LLP
Consulting Engineers

proposed Watkins Mill Road Interchange. Depending on the ultimate highway section and interchange ramp terminal, SWM 3 may be affected. RK&K recommends further coordination between the developer and SHA (both the Watkins Mill Road Interchange Project Team and the I-270 Project Team) regarding the ongoing work with the Watkins Mill Road Interchange and the Metro. Grove Direct Ramps.

Stormwater Management

Proposed stormwater management (SWM) facilities are currently being evaluated by the I-270 Project Team. These SWM facilities are preliminary and further SWM studies will likely require additional right-of-way impacts along the highway improvements due to the increased amount of paved surface area within the proximity to the Casey site. Continued coordination will be needed between the developer, State Highway Administration, and Montgomery County as the preliminary designs progress to ensure that adequate right-of-way is reserved for SWM facilities.

If you have any questions or if you would like to discuss these comments further, please contact Kendall Drummond or Brian Horn, RK&K, by telephone at 410-728-2900, or by email at kdrummond@rkkengineers.com or bhorn@rkkengineers.com.

K:\projects\197-17\admeng\Development Reviews\Casey East\Casey East Dev_Rev.doc



Rummel, Klepper & Kahl, LLP
Consulting Engineers

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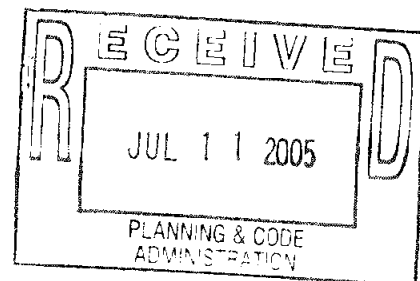
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Arla W. Coupe, Esq.
Vice Chair of the Board
Eugene W. Loring
Board Treasurer
Wayne Pasella
President & CEO
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Public Policy & Advocacy
Cynthia A. Smith
Public Policy & Advocacy



July 8, 2005

Ms. Caroline Seiden, Planner
City of Gaithersburg
31 S. Summit Avenue
Gaithersburg, MD 20877

Dear Ms. Seiden:

This is to acknowledge for purposes of the City land use process that BP Realty Investments, LLC ("BPRI"), is authorized to process the rezoning of the 'sliver tract, Parcel N455, currently owned by The Humane Society of the United States ("HSUS"), but under contract to BPRI from I-3 to MXD.

We would appreciate still receiving direct notice of any public meetings and proceedings involving this property and to be recipients of any related correspondence (and by copy to Pete Henry, we ask the same of him.) Please also be aware that The HSUS is in the process of evaluating the future of its land holdings in this area (and we have had meetings with staff in this regard,) and we look forward to working with the City concurrent with its review of the BPRI rezoning request to adequately address the best utilization of The HSUS property for future years.

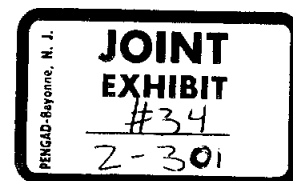
Please feel free to contact me if you have any questions.

Very truly yours,

G. Thomas Waite, III
Treasurer, CFO

GTW/dlm

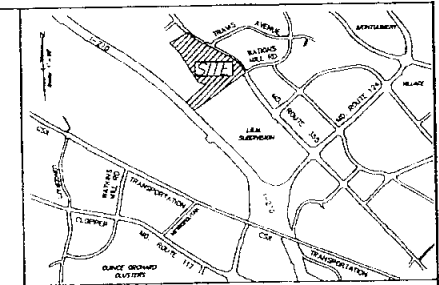
cc: Pete Henry, BPRI



Promoting the protection of all animals

2100 L Street, NW, Washington, DC 20037 • 202-452-1100 • Fax: 202-778-6132 • www.hsus.org

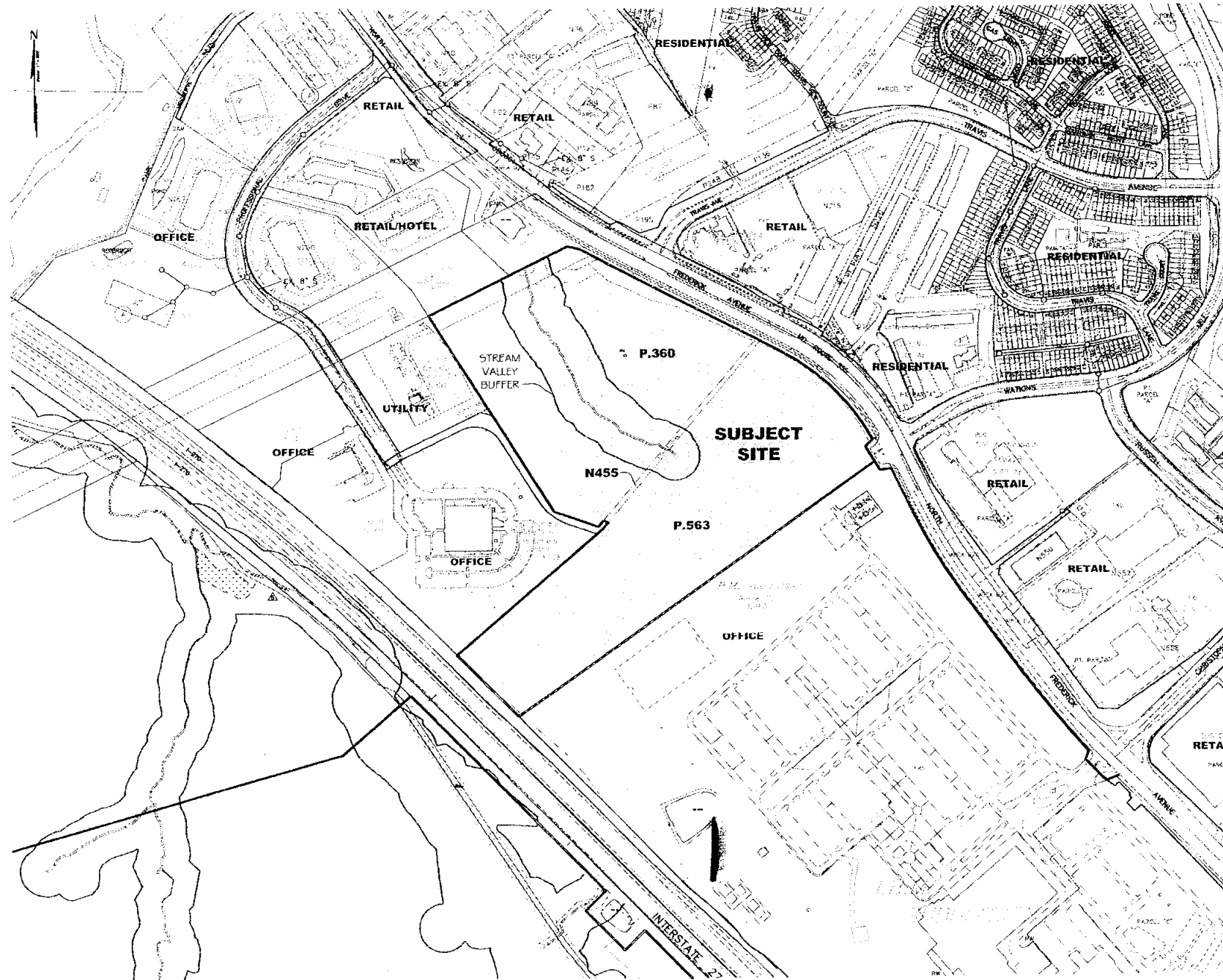
PARCELS 360, 563 AND N455
GAITHERSBURG, MARYLAND
MXD - ZONING APPLICATION



VICINITY MAP
1" = 2000'

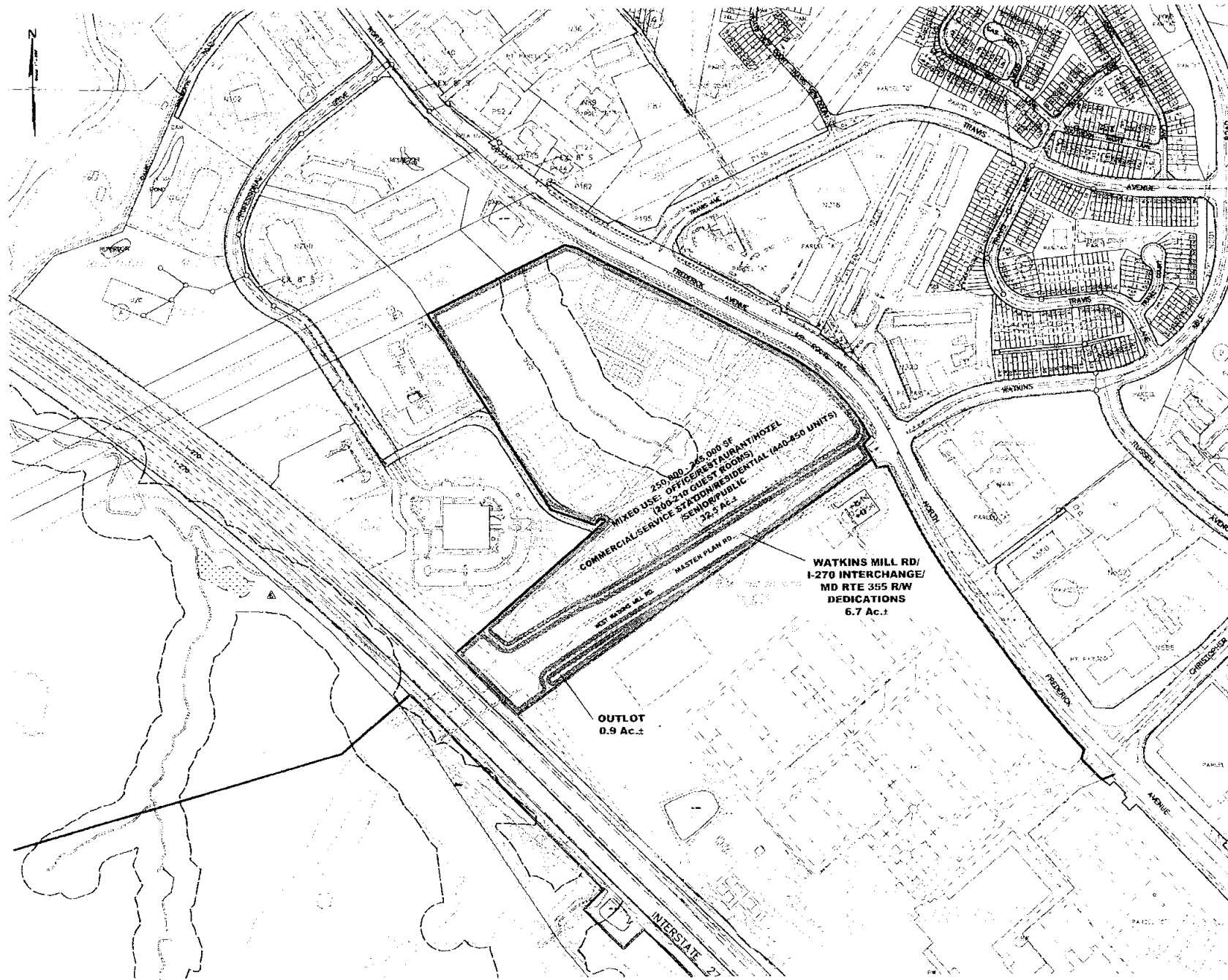
SDP SHEET INDEX

TITLE	SHEET NO.
COVER SHEET AND LAND USE PLAN	1
SKETCH PLAN	2
PHASING PLAN	3
NATURAL RESOURCES INVENTORY AND FOREST STAND DELINEATION PLAN	4
BOUNDARY SURVEY	5
PRELIMINARY FOREST CONSERVATION PLAN	6



JOINT
EXHIBIT
#41
2-301

REVISION	DATE	REVISION	DATE	REVISION	DATE	Owner/Developer BP Realty Investments, LLC 10000 Falls Road, Suite 100 Potsdam, Maryland 20854 Ph: (301) 299-2099 Fax: (301) 299-2033 Contact: Mr. Peter J. Henry	COVER SHEET AND LAND USE PLAN	RODGERS CONSULTING enhancing the value of land assets Rodgers Consulting, Inc. 10847 Emory Blvd., Suite 200 Germantown, MD 20874 301 948 4700 301 948 6256 (fax) 301 253 6669 www.rodgers.com	BASE DATA DESIGNED DRAWN REVIEWED PROJECTS CONTACT RELEASE FOR BY: DATE	PARCELS 360, 563 AND N455 City of Gaithersburg 7th Election District Montgomery County, Maryland	SCALE: 1" = 200' JOB No. 776A DATE: MAY 2005 SHEET No. 1 OF 6
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General Notes

- The boundary survey for this property was prepared by Rodgers Consulting, Inc.
- Topography was prepared visually by photographic data services.
- Existing zoning: I-1
Proposed zoning: M-1D
- Maximum building height: as allowed by zoning, maximum 3:1 R = 0.75
- Site area: Parcel P-360: 18.91 Ac.±
Parcel P-563: 20.74 Ac.±
Parcel N455: 0.81 Ac.±
Total Site Area: 40.46 Ac.±
- Proposed Development:
23.45 Ac.± Mixed Use: Retail/Office/Restaurant/Industrial/Residential Service Station/Residential Public Storage
6.67 Ac.± Watkins Mill Rd./I-270 interchange & MD RTE 355 R/W Dedication
- 10% of the residential area and 25% of the commercial area to be preserved as green space

REVISION	DATE	REVISION	DATE	REVISION	DATE
REVISION FOR CITY PRESENTATION	11/1/06				

Owner/Developer
BP Realty Investments, LLC
10000 Falls Road, Suite 100
Potsdam, Maryland 20854
Ph: (301) 299-1095
Fax: (301) 299-2033
Contact: Mr. Peter J. Henry

SKETCH PLAN



Rodgers Consulting, Inc.
19847 Century Blvd., Suite 200
Crimmstown, MD 20874
301-948-6700
301-948-6256 (fax)
301-251-0109
www.rodgersinc.com

DATE	BY	DATE
DESIGNED		
DRAWN	SW	2/2/07
REVIEWED	GW	2/2/07
RODGERS CONTACT:		
RELEASE FOR		
BY	DATE	

PARCELS 360, 563 AND N455

City of Gaithersburg
9th Election District
Montgomery County, Maryland

SCALE:	1" = 200'
JOB NO.	776A
DATE	1/16/2007
SHEET NO.	2 OF 2

PENGAD-Bayonne, N. J.
JOINT EXHIBIT
#42
2-301

Property Summary

	Floodplain	Wetland	Forest	Stream Valley Buffer	Total Tract
Casey West	15.29	3.6	76.33	57.91	125.23
Casey East	3.46	0	20.47	49.09	40.12
Total Areas	18.75	3.6	96.8	68	165.35

Forests

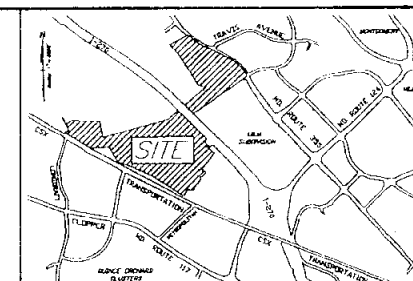
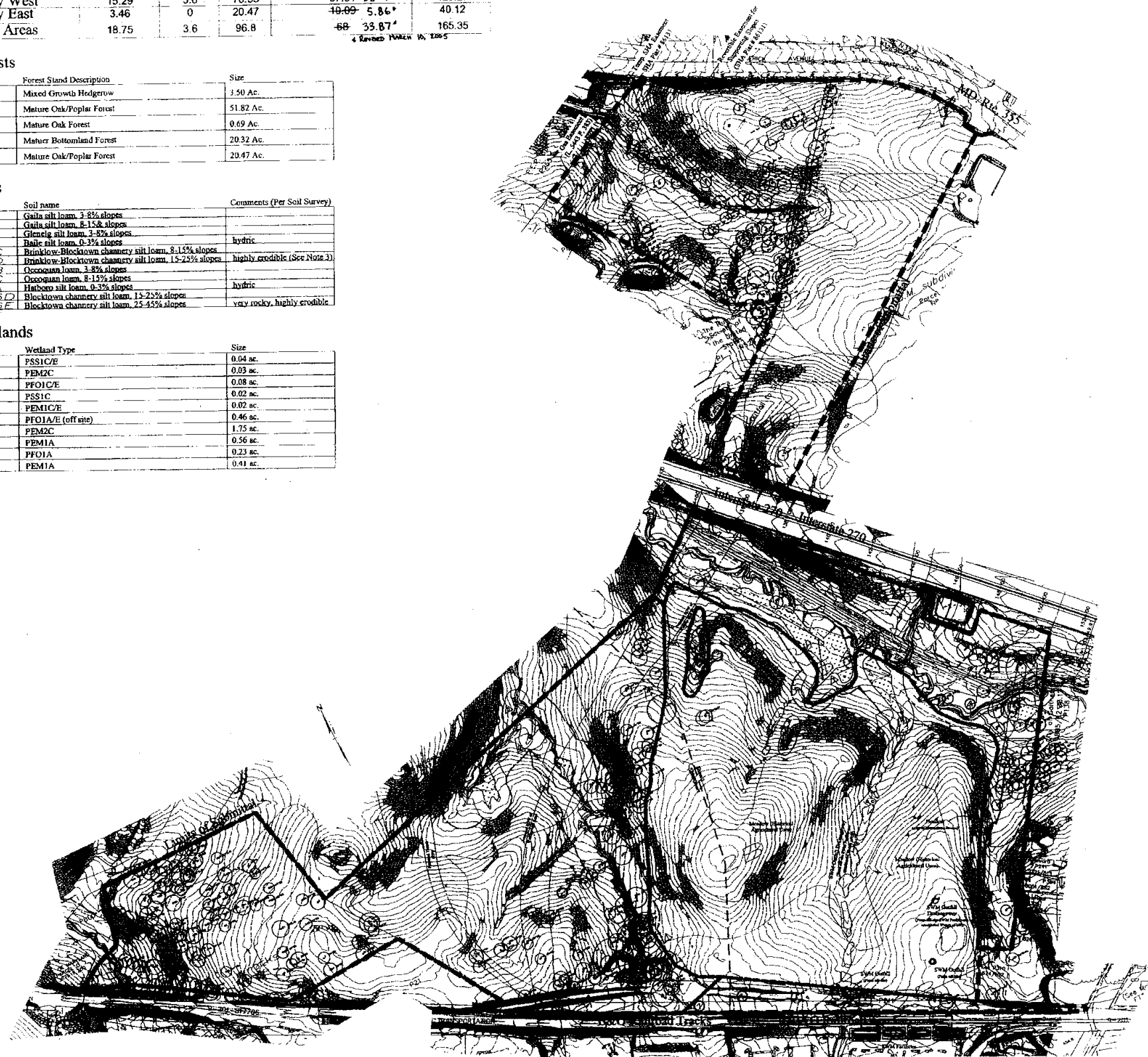
Symbol	Forest Stand Description	Size
①	Mixed Growth Hedgerow	1.50 Ac.
②	Mature Oak/Poplar Forest	51.82 Ac.
③	Mature Oak Forest	0.69 Ac.
④	Mature Bottomland Forest	20.32 Ac.
⑤	Mature Oak/Poplar Forest	20.47 Ac.

Soils

Symbol	Soil name	Comments (Per Soil Survey)
1B	Gaia silt loam, 3-8% slopes	
1C	Gaia silt loam, 8-15% slopes	
2B	Glenora silt loam, 3-8% slopes	
6A	Baile silt loam, 0-3% slopes	hydric
16C	Brinklow-Blocktown channery silt loam, 8-15% slopes	
16D	Brinklow-Blocktown channery silt loam, 15-25% slopes	highly erodible (See Note 3)
17B	Ocoquan loam, 3-8% slopes	
17C	Ocoquan loam, 8-15% slopes	
54A	Hathorn silt loam, 0-3% slopes	hydric
176D	Blocktown channery silt loam, 15-25% slopes	
176F	Blocktown channery silt loam, 25-52% slopes	very rocky, highly erodible

Wetlands

Symbol	Wetland Type	Size
△	PSS1C/E	0.04 ac.
△	PEM2C	0.03 ac.
△	PFO1C/E	0.08 ac.
△	PSS1C	0.02 ac.
△	PEM1C/E	0.02 ac.
△	PFO1A/E (off site)	0.46 ac.
△	PEM2C	1.75 ac.
△	PEM1A	0.56 ac.
△	PFO1A	0.23 ac.
△	PEM1A	0.41 ac.



VICINITY MAP
The Casey Property
Gaithersburg, MD
1" = 1000'

Casey Property Natural Resource Inventory/ Forest Stand Delineation

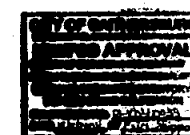
- The subject property is 165.34 Acres and is comprised of Parcels P910, P880, P93, P211 and P2155 of tax map pages 17-22, 27-21, and P2-13. The subject property is bounded by Surveys 278 covering two areas hereafter referred to as the western area and the eastern area.
- Boundary information was taken from the map dated July, 1997.
- Soils information is taken from Montgomery County Soils Survey, July 1999 home, Maps 7 & 8. A geo-technical study was conducted for the soils mapped in 16D to determine erodibility. The locations of these test pits are indicated on this plan. The result of this study determined that the 16D soils in this area are not to be considered highly erodible. Please see the geo-technical report dated July 30, 2002 as issued by Hillis-Carnes Engineering Associates, Inc. for additional information.
- Wetland delineation provided as part of the 1-770 multi-modal corridor study. Environmental Impact Statement. Wetland delineation was conducted by representatives of Rodgers Consulting, Inc. for use on this map.
- The ultimate 100 year flood plain is taken from FEMA Flood Insurance Rate Maps for the City of Gaithersburg (FEMA, 1984). The subject property contains 6.38 acres of floodplain.
- The topography shown is from an aerial topographic survey completed in 2001 and is shown in 2' contour intervals.
- The location of individual specimen trees is by field survey utilizing a Global Positioning System with sub-meter accuracy.
- Specimens on the site are Use Class I-P and are part of Great Seneca Creek and its tributaries.
- Existing forest cover = 96.80 Acres.
- Site visits for purposes of conducting this inventory occurred in fall of 2000, Feb. of 2002, and Summer 2004.
- The Stream Valley Buffer depicted on this plan is based on the best available information at the time. Since the limits of the parameters used to define the Stream Valley Buffer are by their very nature dynamic, the buffer is subject to further refinement as additional data becomes available.
- For the City of Gaithersburg's Environmental Standards for Development Regulations, as part of the site plan application, the applicant will conduct a wildlife management plan.
- Existing and adjacent sources of noise include vehicle traffic traveling on I-270 and rail traffic on the railroad line to the west of the property. For the Environmental Standards for Development Regulations, as part of the site plan application, the applicant will conduct a noise study to determine existing and potential sources of noise and noise abatement recommendations.

Legend

- Stream Valley Buffer
- Floodplain Delineation
- Floodplain BR
- Wetlands delineation
- Wetland Buffer (50' City)
- Wetland Area Reference Number
- Forest Stand and Reference Number
- Specimen Tree w/ Critical Root Zone
- Spring/Seep Location
- Soils Lines
- Soil Text Type
- Existing Tree Line
- 15-25% Slopes
- Slopes 25% and greater
- Existing Perennial/Intermittent Stream
- Locations of Test Pits for soil erodibility study

- Approval with the following conditions:
- A noise study is required per Section 34 of the Environmental Standards for Development Regulation.
 - A wildlife management plan is required per Section 34 of the Environmental Standards for Development Regulation.
 - A wildlife management plan is required per Section 34 of the Environmental Standards for Development Regulation.
 - The Stream Valley Buffer and associated buffers are to be defined by the U.S. Army Corps of Engineers; a final delineation (T.P.) request is pending review.

Qualified Professional Certification
I hereby certify that this plan was prepared to the best of my knowledge and belief in accordance with the Maryland Forest Conservation Law and the City of Gaithersburg's approved and adopted Environmental Standards.



JOINT EXHIBIT
#44
2-301

Station: Casey Property

Natural Resources

REVISION	DATE	REVISION	DATE	REVISION	DATE	REVISION	DATE
1. Revised per City comments (10/05)	10/05						

Developer:
BP Realty Investments, LLC
6723 Whittier Ave., Ste. 306C
McLean, Virginia 22102
Attn: Mr. Peter J. Henry

Recertified
Natural Resources Inventory/
Forest Stand Delineation

Casey Property

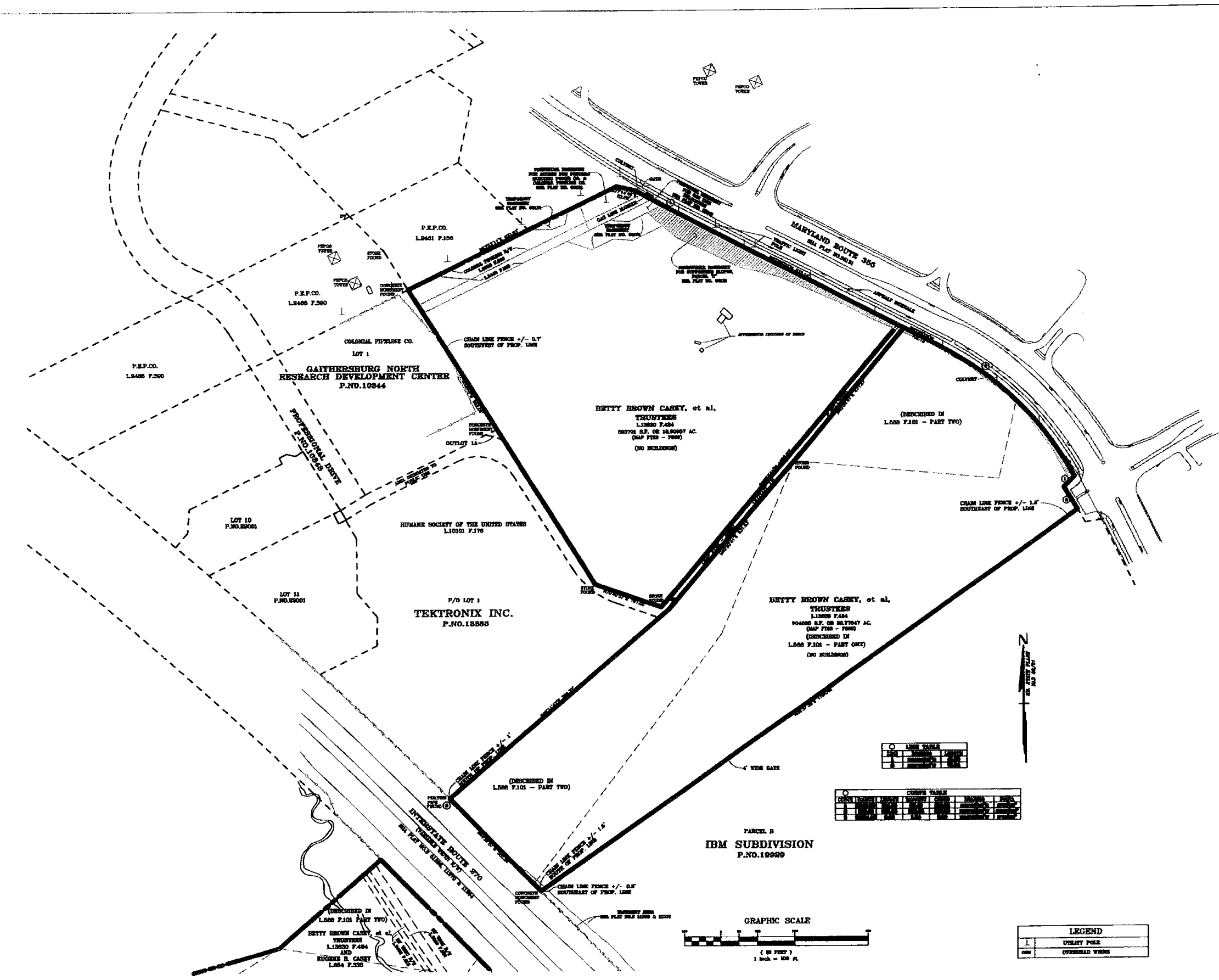
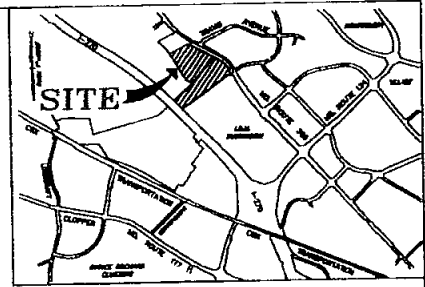
Election District # 9
City of Gaithersburg, Montgomery County, Maryland

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Enhancing the value of land assets

Rodgers Consulting, Inc.
19847 Century Blvd., Suite 200
Gaithersburg, MD 20878
301.948.4700
301.948.9256 (fax)
301.253.6509
www.rodgers.com

DATE	BY	DATE	SCALE: 1"=200'
DESIGNED		DATE	JOB NO. 776-41
DRAWN		DATE	11/04
CHECKED		DATE	
RELEASE FOR		DATE	
BY		DATE	

PRELIMINARY NOT FOR CONSTRUCTION



NOTES:
1. THE APPROXIMATE LOCATION OF STREAMS, ROADS AND HIGHWAY FEATURES SHOWN HEREON IS TAKEN FROM AERIAL PHOTOGRAPHY, DATE OF PHOTOGRAPHY 12-15-00.
2. INTERIOR FENCELINES ARE NOT SHOWN.
3. SEE SHEET 1 OF 2 FOR CERTIFICATION AND NOTES REGARDING TITLE COMMITMENT EXCEPTIONS.

JOINT EXHIBIT #45
2-301

REVISION	DATE	REVISION	DATE	REVISION	DATE

Owner/Developer
BP Realty Investments, LLC
10000 Falls Road, Suite 100
Potomac, Maryland 20854
Ph: (301) 299-2099
Fax: (301) 799-2013
Contact: Mr. Peter J. Henry

BOUNDARY SURVEY



Rodgers Consulting, Inc.
8330 Gaithersburg Road
Gaithersburg, MD 20877
301.946.0750
301.946.0255 (fax)
301.326.6999
www.rodgers.com

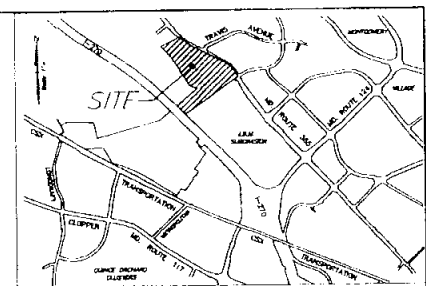
DATE	BY	DATE

RELEASE FOR

PARCELS 360, 563 AND N455

City of Gaithersburg
9th Election District
Montgomery County, Maryland

SCALE: 1" = 100'
JOB NO. 776A
DATE Feb., 2001
SHEET No. 5 of 6



VICINITY MAP
Casey East
Gaithersburg, MD
1" = 2000'

PRELIMINARY NOT FOR CONSTRUCTION

RESIDENTIAL USE
CITY OF GAITHERSBURG
FOREST CLEARANCE AREA

TRACT AREA, FOREST COVER
AND CLEARANCE AREA

6.	Target Area
B	Existing Forest Cover
	US Forest Cover 1982

	Cleared Forest Cover	
A	$\frac{0.67 \times 0.89 + 0.33 \times 0.11}{0.67 + 0.33} = 0.89$	0.89
B	$\frac{0.67 \times 0.11 + 0.33 \times 0.89}{0.67 + 0.33} = 0.11$	0.11

AFFORESTATION

Attention Threshold
C - Trip Area = 1%.

Additional Information Required

State of _____

County of _____

City of _____

Address _____

Zip _____

Telephone _____

Signature _____

Date _____

REFORESTATION :
in the Cifra region

C. Censorship Threshold
 $\alpha = 0.01$ and $\beta = 0.17$

Existing Forest Cover greater than Conservation Threshold
 H-2
 Existing Forest Cover greater than Conservation Threshold
 Existing Forest Cover greater than Conservation Threshold

3	Greater than Conservation Threshold.	8.14
4	Retention Grade for natural forest cover greater than conservation threshold.	0.00

POLYMERIZATION OF L-GLUTAMATE THIOESTER

Depends on the Conservation Theorem

For Presentation Requirement
M: 14.3, p. 2

BREAK-EVEN POINT		
4	Break-even Point	243
	Units 20%	
	Break-even Point = 243 units	
5	Operating leverage factor	4.11







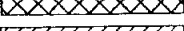
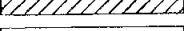



1. Dr. Josephine D. Dwyer

[illegible]

NET FOREST: 6.58 ACRES +/-
FOREST CLEARED: 2.32 ACRES +/- * 4
FOREST RETAINED: 6.16 ACRES +/-

RESTORATION REQUIRED	3.78 ACRES +/-
LANDSCAPE CREDIT TO % Y RESTORATION	0.75 ACRES +/-
PLANTING REQUIRED	3.03 ACRES +/-

 $\frac{d}{dt} \left(\frac{1}{\rho} \right) = - \frac{1}{\rho^2} \frac{d\rho}{dt}$

- | | |
|---|---|
|  | EXISTING CANOPY |
|  | EXISTING DIFFERENTIATION OR PERIODICAL STREAM |
|  | STREAM VALLEY BUFFER |
|  | FOREST STAND LINE |
|  | PROPERTY LINE |
|  | CONSERVATION EASEMENT |
|  | EXISTING FOREST TO BE RETAINED |
|  | EXISTING FOREST TO BE REMOVED |
|  | MASTER PLAN ROAD/TRANSIT |
|  | PERIODIC TRAFFIC DISRUPTION DEDUCTION FROM TOTAL TRACT AREA |
|  | REGENERATION |

PENGAD-Bayonne, N. J.

**JOINT
EXHIBIT**

#46

2-301

PENGAD-Bayonne, N. 2.

Owner/Developer,
BP Realty Investments, LLC
10000 Falls Road, Suite 100
Pomona, Maryland 20854
Ph: (301) 299-2099
Fax: (301) 299-2033
Contact: Mr. Peter J. Henry

RODGERS
CONSULTING
Enhancing the value of land assets

Rodgers Consulting, Inc.
19847 Century Blvd., Suite 200
Germania, MD 20874
301.948.4700
301.948.6256 Fax
301.753.6669
A+ 100% (1/87)

BASE DATA	BY	DATE
DESIGNED		
DRAWN		
REVIEWED		
RODDERS CONTACT:		
RELEASE FOR <input type="checkbox"/>		
BY	DATE	

PARCELS 360, 563 AND N455

City of Gaithersburg
9th election district
Montgomery County, Maryland

JOB No.	1719A
DATE	MAY, 2005
SHEET No.	6 OF 6

INDEX OF MEMORANDA
SDP-05-003
CASEY EAST – THE EXCHANGE

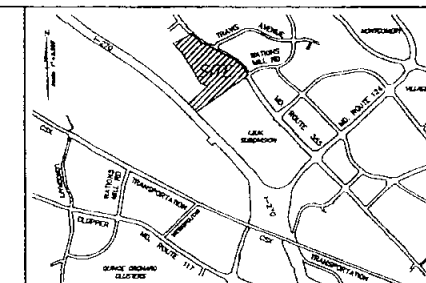
- 1) Schematic Development Plan Application, May 19, 2005
- 2) Application fees receipt
- 3) Letter to Greg Ossont from Gary Unterberg, Rodgers Consulting, May 19, 2005
- 4) Parcels 360, 563 and N455 Property Owners
- 5) Location Map (Scale 1"=1000')
- 6) City of Gaithersburg Zoning Map with subject property identified
- 7) Parcels 360, 563 and N455 Adjacent Property Owners Mailing List
- 8) Schematic Development Plan Cover Sheet, May 2005 (Sheet 1 of 9)
- 9) Schematic Development Plan, May 2005 (Sheet 2 of 9)
- 10) Schematic Development Plan, May 2005 (Sheet 3 of 9)
- 11) Notes and Details, May 2005 (Sheet 4 of 9)
- 12) Boundary Survey, May 2005 (Sheet 5 of 9)
- 13) Landscape and Lighting Plan, May 2005 (Sheet 6 of 9)
- 14) Landscape an Lighting Plan, May 2005 (Sheet 7 of 9)
- 15) Preliminary Forest Conservation Plan, May 2005 (Sheet 8 of 9)
- 16) Recertified Natural Resources Inventory/Forest Stand Delineation, May 2005 (Sheet 9 of 9)
- 17) Schematic Development Plan Cover Sheet, Sheet 1 of 9 (reduced version)
- 18) Schematic Development Plan, Sheet 2 of 9 (reduced version)
- 19) Schematic Development Plan, Sheet 3 of 9 (reduced version)
- 20) Notes and Details, Sheet 4 of 9 (reduced version)

- 21) Boundary Survey, Sheet 5 of 9 (reduced version)
- 22) Landscape and Lighting Plan, Sheet 6 of 9 (reduced version)
- 23) Landscape an Lighting Plan, Sheet 7 of 9 (reduced version)
- 24) Preliminary Forest Conservation Plan, Sheet 8 of 9 (reduced version)
- 25) Recertified Natural Resources Inventory/Forest Stand Delineation, Sheet 9 of 9 (reduced version)
- 26) Architectural Sketches (two pages)
- 27) Parcels 360, 563 and N455 Preliminary Wildlife Management Plan, April 2002
- 28) Agency Transmittals
- 29) Letter requesting publication of the Legal Advertisement in the June 1 and June 8, 2005 edition of the *Gaithersburg Gazette* with attached facsimile transmittal confirmation
- 30) Notice of Joint Public Hearing, as sent June 1, 2005
- 31) List of Persons Notified of Joint Public Hearing
- 32) Photographs of Representative Pad Restaurants (shown at June 20, 2005 Joint Public Hearing)
- 33) Illustrative Streetscape (shown at June 20, 2005 Joint Public Hearing)
- 34) Letter to Caroline Seiden from G. Thomas Waite, III, Treasurer, CFO of The Humane Society of the United States, July 8, 2005
- 35) Letter to Trudy Schwarz from Steven D. Foster, Chief, Engineering Access Permits Division, State Highway Administration, July 12, 2005
- 36) Minutes, City Council Meeting, June 20, 2005
- 37) Transcript of Joint Public Hearing, June 20, 2005
- 38) Notice of Joint Worksession on Z-301 and SDP-05-003 sent December 22, 2005 to required parties
- 39) List of all parties notified, revised

- 40) FAX Transmittal and Memorandum to Russell Walto, State Highway Administration from Brian Horn and Kendall Drummond, Rummel, Klepper & Kahl, LLP, August 26, 2005
- 41) Revised Schematic Development Plan Cover Sheet (Sheet 1 of 9)
- 42) Revised Schematic Development Plan (Sheet 2 of 9)
- 43) Revised Schematic Development Plan (Sheet 3 of 9)
- 44) Revised Notes and Details (Sheet 4 of 9)
- 45) Revised Landscape and Lighting Plan (Sheet 5 of 9)
- 46) Revised Landscape and Lighting Plan (Sheet 6 of 9)
- 47) Revised Boundary Survey (Sheet 7 of 9)
- 48) Revised Preliminary Conservation Plan (Sheet 8 of 9)
- 49) Revised Recertified Natural Resources Inventory/Forest Stand Delineation (Sheet 9 of 9)
- 50) **Revised Schematic Development Plan Cover Sheet (Sheet 1 of 9), reduced copy**
- 51) **Revised Schematic Development Plan (Sheet 2 of 9), reduced copy**
- 52) **Revised Schematic Development Plan (Sheet 3 of 9), reduced copy**
- 53) **Revised Notes and Details (Sheet 4 of 9), reduced copy**
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- 57) **Revised Preliminary Conservation Plan (Sheet 8 of 9), reduced copy**
- 58) **Revised Recertified Natural Resources Inventory/Forest Stand Delineation (Sheet 9 of 9), reduced copy**
- 59) **Casey East Parking Tabulation**
- 60) **Casey East Building Sizes and Uses**

- 61) **Conceptual Townhouse Elevations**
- 62) **E-mail and attachment from Bruce Crispell, MCPS, regarding student generation for Casey East, January 3, 2006**
- 63) **Color Coded Schematic Development Plan**

PARCELS 360, 563 AND N455
GAITHERSBURG, MARYLAND
SCHEMATIC DEVELOPMENT PLAN



VICINITY MAP
1" = 2000'

SDP SHEET INDEX

TITLE	SHEET NO.
COVER SHEET	1
SCHEMATIC DEVELOPMENT PLAN	2
SCHEMATIC DEVELOPMENT PLAN	3
NOTES AND DETAILS	4
BOUNDARY SURVEY	5
LANDSCAPE AND LIGHTING PLAN	6
LANDSCAPE AND LIGHTING PLAN	7
PRELIMINARY FOREST CONSERVATION PLAN	8
NRI/SD	9

General Notes

- The boundary survey for the property was prepared by Rodgers Consulting, Inc.
- Topography was prepared by Rodgers Consulting, Inc. (March 2006).
- Existing contour interval = 2'
- Plus and minus elevations = MSL
- Water and Sewer lines =
- Maximum building height = 40 feet
- Designation, lot, and number, location, size and use of buildings are subject to final site plan approval.
- Buildings as shown are for illustrative purposes. Actual building footprints will vary based on specific uses, but will be within the building envelope shown. The allocation of building square footage will be adjusted as site plan. Building square footage can be adjusted to fit within building envelope, as long as the maximum is not exceeded.
- The SDP Schematic Development Plan is prepared at 1/8" = 100' scale plan.
- Grading and grading and land development are represented herein are preliminary and subject to modification as final site plan.
11. 40' x 75' A.R. Maximum Allowed: 10,000 sq. ft. (Phase 1) 15,000 sq. ft. (Phase 2)
12. Summary:

Phase 1	10,000 sq. ft.
Phase 2	15,000 sq. ft.
N455	0.4 ac.
Total	10.4 ac.
13. 40% of the residential area and 25% of the urban core area to be provided as open space.
14. Building uses and uses:

Use	Area
1. Residential (Single-Family)	10,000 sq. ft.
2. Commercial (Retail)	15,000 sq. ft.
3. Office	10,000 sq. ft.
4. Industrial	10,000 sq. ft.
5. Total	50,000 sq. ft.
15. Mixed Use Retail:

A	5,000 sq. ft.
B	5,000 sq. ft.
C	5,000 sq. ft.
D	5,000 sq. ft.
E	5,000 sq. ft.
F	5,000 sq. ft.
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V	5,000 sq. ft.
W	5,000 sq. ft.
X	5,000 sq. ft.
Y	5,000 sq. ft.
Z	5,000 sq. ft.
16. Single-Family Care:

Q	5,000 sq. ft.
---	---------------
17. Storage:

P	5,000 sq. ft.
---	---------------
18. Club House:

Q	5,000 sq. ft.
---	---------------
19. Residential Integral FH:

Q	5,000 sq. ft.
---	---------------
20. Storage Unit:

Q	5,000 sq. ft.
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21. Single-Family:

A	5,000 sq. ft.
B	5,000 sq. ft.
C	5,000 sq. ft.
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22. Single-Family:

A	5,000 sq. ft.
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23. Single-Family:

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24. Single-Family:

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25. Single-Family:

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26. Single-Family:

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27. Single-Family:

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28. Single-Family:

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29. Single-Family:

A	5,000 sq. ft.
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30. Single-Family:

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31. Single-Family:

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32. Single-Family:

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33. Single-Family:

A	5,000 sq. ft.
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34. Single-Family:

A	5,000 sq. ft.
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W	5,000 sq. ft.
X	5,000 sq. ft.
Y	5,000 sq. ft.
Z	5,000 sq. ft.
35. Single-Family:

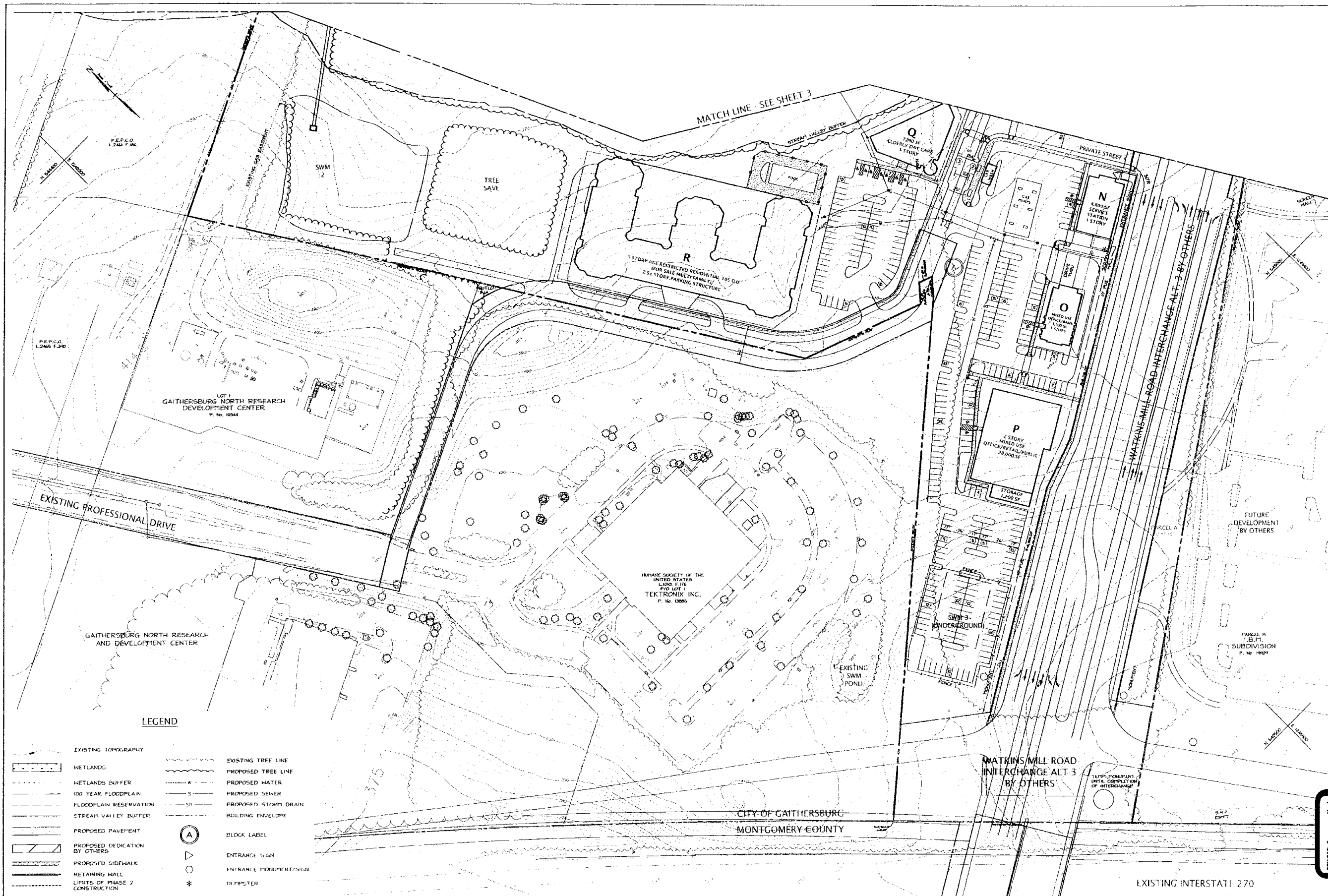
A	5,000 sq. ft.
B	5,000 sq. ft.
C	5,000 sq. ft.
D	5,000 sq. ft.
E	5,000 sq. ft.
F	5,000 sq. ft.
G	5,000 sq. ft.
H	5,000 sq. ft.
I	5,000 sq. ft.
J	5,000 sq. ft.
K	5,000 sq. ft.
L	5,000 sq. ft.
M	5,000 sq. ft.
N	5,000 sq. ft.
O	5,000 sq. ft.
P	5,000 sq. ft.
Q	5,000 sq. ft.
R	5,000 sq. ft.
S	5,000 sq. ft.
T	5,000 sq. ft.
U	5,000 sq. ft.
V	5,000 sq. ft.
W	5,000 sq. ft.
X	5,000 sq. ft.
Y	5,000 sq. ft.
Z	5,000 sq. ft.
36. Single-Family:

A	5,000 sq. ft.
B	5,000 sq. ft.
C	5,000 sq. ft.
D	5,000 sq. ft.
E	5,000 sq. ft.
F	5,000 sq. ft.
G	5,000 sq. ft.
H	5,000 sq. ft.
I	5,000 sq. ft.
J	5,000 sq. ft.
K	5,000 sq. ft.
L	5,000 sq. ft.
M	5,000 sq. ft.
N	5,000 sq. ft.
O	5,000 sq. ft.
P	5,000 sq. ft.
Q	5,000 sq. ft.
R	5,000 sq. ft.
S	5,000 sq. ft.
T	5,000 sq. ft.
U	5,000 sq. ft.
V	5,000 sq. ft.
W	5,000 sq. ft.
X	5,000 sq. ft.
Y	5,000 sq. ft.
Z	5,000 sq. ft.
37. Single-Family:

A	5,000 sq. ft.
B	5,000 sq. ft.
C	5,000 sq. ft.
D	5,000 sq. ft.
E	5,000 sq. ft.
F	5,000 sq. ft.
G	5,000 sq. ft.
H	5,000 sq. ft.
I	5,000 sq. ft.
J	5,000 sq. ft.
K	5,000 sq. ft.
L	5,000 sq. ft.
M	5,000 sq. ft.
N	5,000 sq. ft.
O	5,000 sq. ft.
P	5,000 sq. ft.
Q	5,000 sq. ft.
R	5,000 sq. ft.
S	5,000 sq. ft.
T	5,000 sq. ft.
U	5,000 sq. ft.
V	5,000 sq. ft.
W	5,000 sq. ft.
X	5,000 sq. ft.
Y	5,000 sq. ft.
Z	5,000 sq. ft.
38. Single-Family:

A	5,000 sq. ft.
B	5,000 sq. ft.
C	5,000 sq. ft.
D	5,000 sq. ft.
E	5,000 sq. ft.
F	5,000 sq. ft.
G	5,000 sq. ft.
H	5,000 sq. ft.
I	5,000 sq. ft.
J	5,000 sq. ft.
K	5,000 sq. ft.
L	5,000 sq. ft.
M	5,000 sq. ft.
N	5,000 sq. ft.
O	5,000 sq. ft.
P	5,000 sq. ft.
Q	5,000 sq. ft.
R	5,000 sq. ft.
S	5,000 sq. ft.
T	

PRELIMINARY NOT FOR CONSTRUCTION



LEGEND

EXISTING TOPOGRAPHY	EXISTING TREE LINE
NETLANDS	PROPOSED TREE LINE
NETLANDS BUFFER	PROPOSED WATER
100 YEAR FLOODPLAIN	PROPOSED SEWER
FLOODPLAIN RESERVATION	PROPOSED STORM DRAIN
STREAM VALLEY BUFFER	BUILDING ENVELOPE
PROPOSED PAVEMENT	BLOCK LABEL
PROPOSED DEDICATION BY OTHERS	ENTRANCE SIGN
PROPOSED SIDEWALK	ENTRANCE MONUMENT/SIGN
RETAINING WALL	TRIPPOSTER
LIMITS OF PHASE 2 CONSTRUCTION	

REVISION	DATE	REVISION	DATE	REVISION	DATE
1	01/05/02				
2	01/05/02				
3	01/05/02				
4	01/05/02				
5	01/05/02				
6	01/05/02				
7	01/05/02				
8	01/05/02				
9	01/05/02				
10	01/05/02				

Owner/Developer:
BP Realty Investments, LLC
10000 Falls Road, Suite 100
Potomac, Maryland 20854
Ph: (301) 399-7099
Fax: (301) 399-7093
Contact: Mr. Peter J. Henry

SCHEMATIC DEVELOPMENT PLAN



Rodgers Consulting, Inc.
19817 Centerville Rd., Suite 200
Columbia, Maryland 21047
301.942.4772
301.942.6256 (fax)
301.253.6603
www.rodgers.com

BASE DATA	BY	DATE
DESIGNED	MP	5-02
DRAWN	MP	5-02
CHECKED	CU	5-02
REVIEWED	CU	5-02
RODGER'S CONTACT:		
RELEASE FOR		
BY		
DATE		

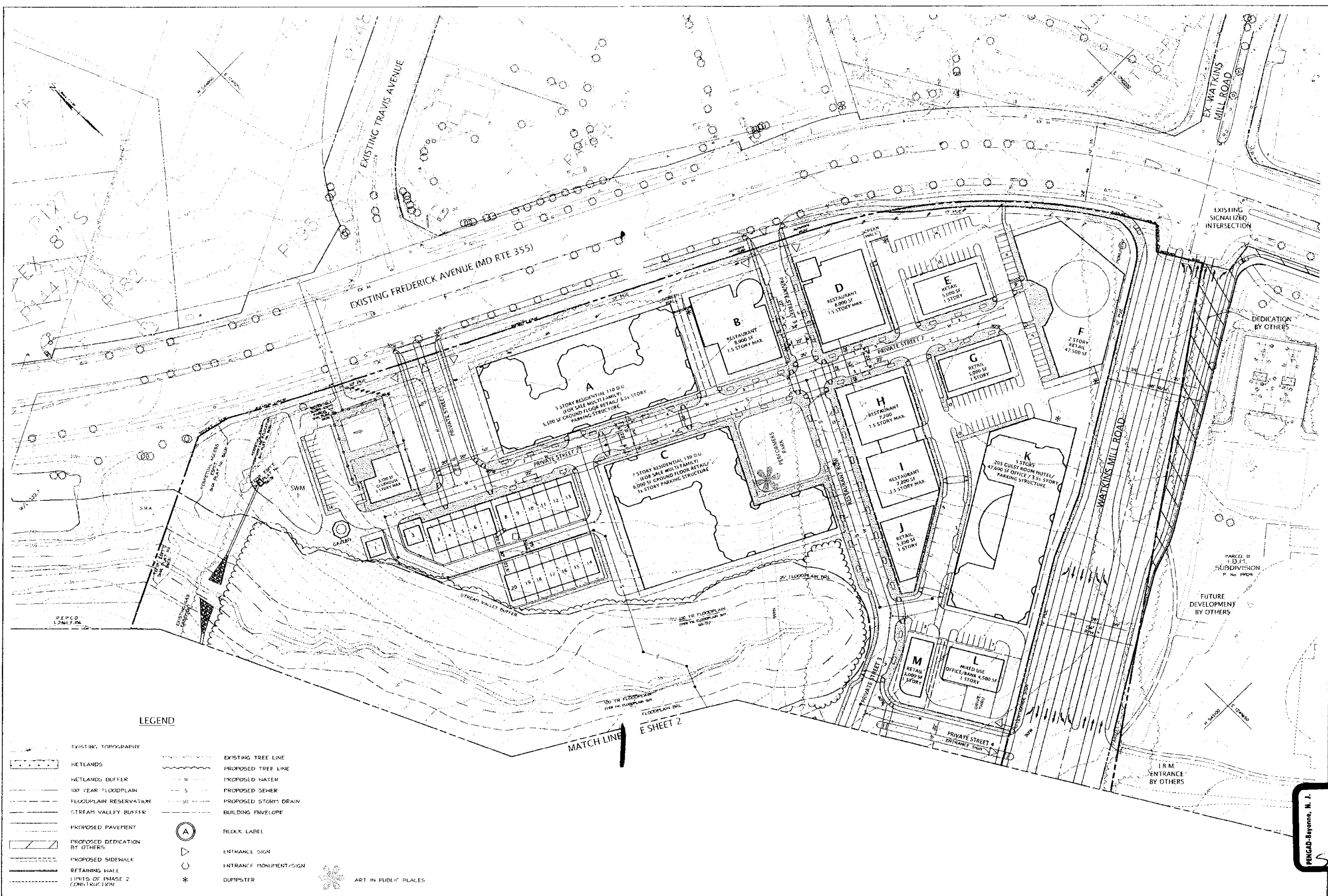
PARCELS 360, 563 AND N455

City of Gaithersburg
9th Election District
Montgomery County, Maryland

SCALE: 1" = 50'
SHEET NO. 776A
DATE: MAY, 2005
SHEET NO. 2 of 3

JOINT EXHIBIT #51
SDP-05-c03

PERGAD-Bayonne, N. J.



REVISION	DATE	REVISION	DATE	REVISION	DATE
1	05/01/03	2	05/01/03	3	05/01/03

Owner/Developer
BP Realty Investments, LLC
10000 Falls Road, Suite 100
Potomac, Maryland 20854
Ph: (301) 299-2099
Fax: (301) 299-2033
Contact: Mr. Peter J. Henry

SCHEMATIC DEVELOPMENT PLAN

RODGERS CONSULTING
Enhancing the value of land assets

Engineers, Planners, Inc.
19842 Century Blvd., Suite 200
Germantown, MD 20874
301.598.4700
301.945.6256 (fax)
301.253.6609
www.rodgersinc.com

DATE	BY	DATE
05-02	PP	05-02
05-02	PP	05-02
05-02	CU	05-02

REVIEWED CONTACT
RODGERS CONTACT
RELEASE FOR
BY DATE

PARCELS 360, 563 AND N455

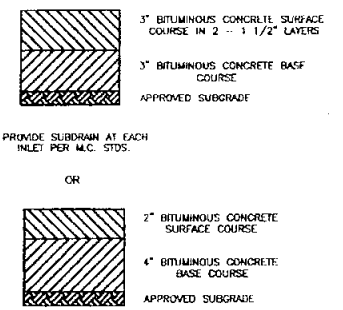
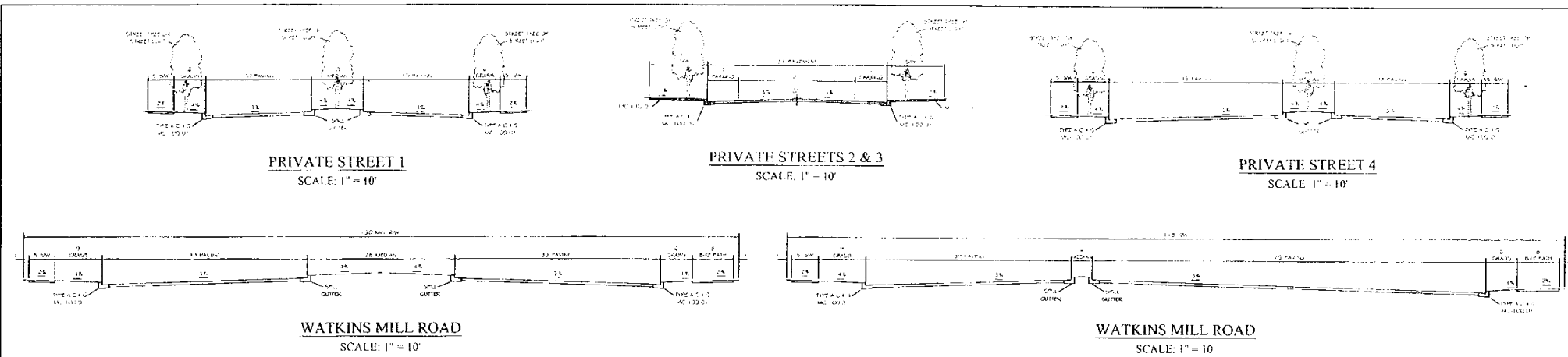
City of Gaithersburg
9th Election District
Montgomery County, Maryland

SCALE: 1" = 50'
JOB No. 776A
DATE: MAY, 2005
SHEET No. 3 of 12

PRELIMINARY NOT FOR CONSTRUCTION

JOINT EXHIBIT #52
SDP-05-003

PRELIMINARY NOT FOR CONSTRUCTION



TYPICAL PAVING SECTION
N.T.S.

PAVING NOTES:
1. THE FIRST OR INTERMEDIATE SURFACE COURSE MUST BE PLACED AS SOON AS FIELD CONDITIONS ALLOW AFTER THE BITUMINOUS CONCRETE BASE HAS BEEN PLACED. NO TRAFFIC ALLOWED ON BASE COURSE UNTIL FIRST SURFACE COURSE HAS BEEN PLACED.

SUBGRADE NOTES:
1. MATERIAL USED IN THE TOP 12 INCHES OF SUBGRADE IN CUTS AND FILLS SHALL COMPLY WITH THE FOLLOWING REQUIREMENTS:
LIQUID LIMIT NOT TO EXCEED 40
PLASTICITY INDEX NOT TO EXCEED 12
THE MAXIMUM DRY WEIGHT OF THE MATERIAL SHALL NOT BE LESS THAN 105 POUNDS PER CUBIC FOOT AND SHALL BE COMPACTED TO NOT LESS THAN 100% OF THE MAXIMUM DENSITY EXCEPT FOR SOFTCLAY SUBGRADE WHICH WILL BE COMPACTED TO NOT LESS THAN 90% OF THE MAXIMUM DENSITY.

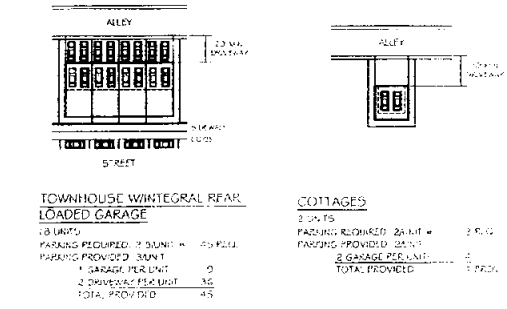
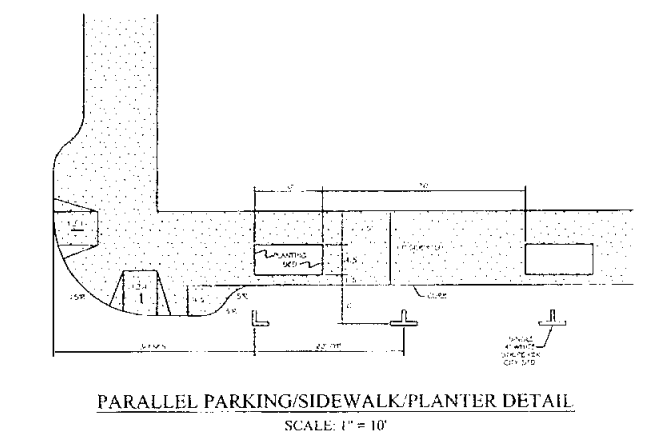
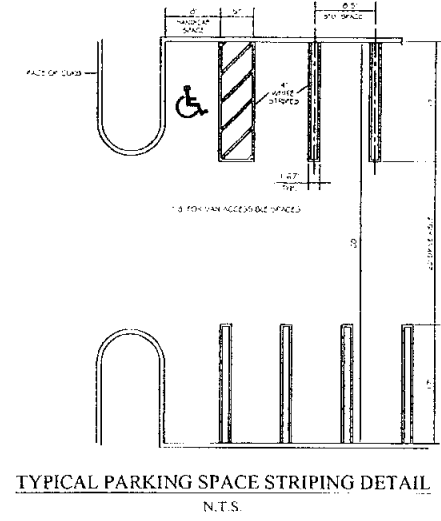
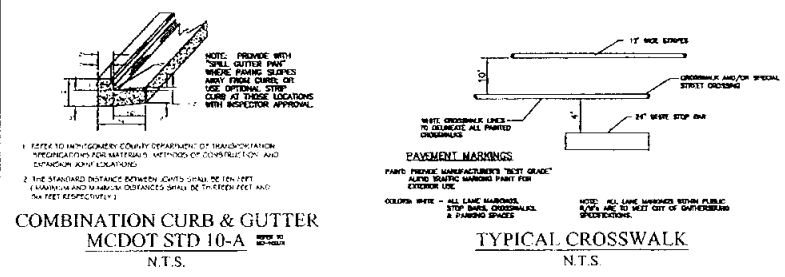
STORM DRAIN NOTES:
1. ALL STORM DRAINS SHALL BE CONSTRUCTED IN ACCORDANCE WITH LATEST EDITION OF THE GENERAL SPECIFICATIONS OF MARYLAND STATE HIGHWAY ADMINISTRATION AND MONTGOMERY COUNTY.
2. FOR TYPES OF STRUCTURES, REFER TO THE STANDARD STORM DRAINAGE DETAILS OF THE W.S.S.C. MARYLAND STATE HIGHWAY ADMINISTRATION AND MONTGOMERY COUNTY, UNLESS OTHERWISE NOTED.
3. WHERE THE DROP ON THE MAIN LINE THROUGH A STRUCTURE CAN BE ACCOMMODATED BY AN INVERT SLOPE OF 1/2% OR FLATTER, A ROUNDED CHANNEL SHALL BE BUILT TO THE DOWN OF THE PIPES.
4. INFORMATION CONCERNING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS, BUT THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND DEPTHS OF THE MAINS BY LOCATING TEST PITS BY HAND AT ALL UTILITY CROSSINGS, WELL IN ADVANCE OF BEGINNING. IF CLARITIES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE CITY OF CATHERSBURG DEPARTMENT OF TRANSPORTATION INSPECTOR AND THE APPROPRIATE UTILITY OWNER BEFORE PROCEEDING WITH CONSTRUCTION.
5. CONTRACTOR MAKING ADJUSTMENTS TO W.S.S.C. UTILITIES MUST BE APPROVED AND WORK UNDER THE SUPERVISION OF THE W.S.S.C. MAINTENANCE BUREAU. REQUIRED MATERIALS MUST BE APPROVED BY THE W.S.S.C. QUALITY ASSURANCE SECTION.
6. CONTRACTOR SHALL NOTIFY W.S.S.C. MAINTENANCE INSPECTION SECTION HEAD AT 200-8643 FORTY EIGHT (48) HOURS IN ADVANCE OF BEGINNING ANY WORK IN THE VICINITY OF W.S.S.C. UTILITIES TO ARRANGE FOR INSPECTION AND, IF DESIRED, PRESENTATION OF REQUIRED MATERIALS FROM W.S.S.C.
7. ALL INLETS SHALL BE PROVIDED WITH WEED HOLES AND FOUNDATION DRAINAGE MATERIALS PER M.C. STD.
8. WHERE ANY PART OF THE STORM DRAIN SYSTEM IS LOCATED IN FILL SECTION, PROVIDE SELECT FILL MATERIAL COMPACTED TO 95% MINIMUM T-99 DENSITY FROM ORIGINAL UNDISTURBED GROUND UP TO STRUCTURE BOTTOM SLABS AND PIPE BEDDING.
9. ELEVATIONS SHOWN ON PROFILES ARE AT PAVE FINISH, UNLESS OTHERWISE NOTED.
10. SINK ALL DISTURBED AREAS TO PROVIDE POSITIVE DRAINAGE.
11. ALL STORM DRAIN STRUCTURES ARE SUBJECT TO MODIFICATION BY THE FIELD INSPECTOR TO MEET FIELD REQUIREMENTS.
12. CONTRACTOR SHALL NOTIFY MISS UTILITY (1-800-257-7777), 48 HOURS IN ADVANCE OF ANY DRAINAGE.
13. THE PRIVATE STORM DRAIN SYSTEMS ARE TO BE MAINTAINED BY THE PROPERTY OWNER.

PUBLIC PAVING NOTES:
1. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE IN CONFORMANCE WITH M.C. S.D.A. OR AS SPECIFIED IN THE CONTRACT SPECIFICATIONS.
2. CONNECTIONS BETWEEN EXISTING PAVING SECTIONS AND REPLACEMENT/NEW PAVING SECTIONS SHALL BE CLEAN, VERTICAL JOINTS.
3. ELEVATIONS SHOWN ON THE PLANS ARE FOR PAVEMENT SURFACE/CURB FLOW LINES, UNLESS OTHERWISE NOTED.
4. PAVING SURFACES SHALL BE SMOOTH & AT UNIFORM GRADES WITHOUT DEPRESSIONS THAT TRAP WATER. REFER TO THE SPECIFICATIONS FOR DETAIL REQUIREMENTS.

PRIVATE PAVING NOTES:
1. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE IN CONFORMANCE WITH THE LATEST EDITION OF THE GENERAL SPECIFICATIONS OF MARYLAND STATE HIGHWAY ADMINISTRATION AND THE CITY OF CATHERSBURG.
2. ALL PAVING SPOT ELEVATIONS ARE FOR THE FLOWLINE/SURFACE OF PAVING UNLESS OTHERWISE NOTED.
3. THE PAVING WITHIN THE CONFINES OF THIS PROPERTY IS PRIVATE AND IS TO BE MAINTAINED BY THE OWNER.
4. THIS PLAN IS TO BE USED FOR FINAL ELEVATIONS AND PAVING ALIGNMENTS.
5. ALL FORMERS, PAVING EDGES AND ISLANDS SHALL BE CURBED.
6. CURBS, GUTTERS, SPURWAYS AND PAVING SHALL BE INSTALLED IN SUCH A MANNER AS TO PROVIDE POSITIVE DRAINAGE OF ALL AREAS SO THERE IS NO ACCUMULATION OF SURFACE WATER.
7. ALL PAVING, STORM DRAINAGE, UTILITIES AND APPROXIMATIONS ON THIS PARCEL ARE PRIVATE AND THE MAINTENANCE IS THE RESPONSIBILITY OF THE OWNER.

CALL "MISS UTILITY" AT
1-800-257-7777
48 Hours Before Start of Construction

The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 36A of the Montgomery County Code.



Parking Required Per Use

Phase	SF/OU/EMP	Pkg Rate	Pkg Req'd
4 Restaurant (Class A)	30,400	13 sp/1000 sf	395
3 Mixed Use Bank/Office	33,700	1sp/300 sf	112
7 Mixed Use Retail	77,300	4.5 sp/1000 sf	348
Clubhouse	3,530	1/300 SF	12
1 Elderly Day Care	8-emp	1.5 sp/emp	12
Residential - Condo Units	425	2 B.R. MF = 2 sp DU	850
Residential - Mt. Towns	18	2.5 sp/DU (Garage + 0.5 sp)	45
Residential - Urban Cottage	2	2.0 sp/DU (Garage + 0.5 sp)	4
Total			1776

Phase 2	SF/OU/EMP	Pkg Rate	Pkg Req'd
4 Restaurant (Class A)	30,400	13 sp/1000 sf	395
5 Mixed Use Bank/Office	85,400	1sp/300 sf	285
7 Mixed Use Retail	77,300	4.5 sp/1000 sf	348
1 Service Station	2-bays/4-emp	2bay + 1employee	8
1 Hotel	205	1/Guest RM + 400 SF	205
Clubhouse	3,530	1/300 SF	12
1 Elderly Day Care	8-emp	1.5 sp/emp	12
Residential - Condo Units	425	2 B.R. MF = 2 sp DU	850
Residential - Mt. Towns	18	2.5 sp/DU (Garage + 0.5 sp)	45
Residential - Urban Cottage	2	2.0 sp/DU (Garage + 0.5 sp)	4
Total			2163

Shared Parking Required

Phase	Area	Pkg. Req'd Weekday	Evening 6 p.m. - Midnight	Pkg. Req'd Weekend	Evening 6 p.m. - Midnight	Pkg. Req'd Night Time	Midnight - 6 a.m.
Office/Service/Bank (1sp/300sf)	33,700	100%	112	10%	11	50%	6
Retail (4.5sp/1000sf)	77,300	60%	209	90%	313	70%	243
Restaurant (13sp/1000sf)	30,400	50%	154	100%	395	100%	395
Elderly Day Care	7,250	100%	12	100%	12	100%	12
Total	148,650		531		731		75
Total Parking Required			531		731		75
Total Parking Proposed							

*Total does not include 60 reserve sp. south of bldg. P, and 17 sp. for clubhouse (77 sp. total). Condo units self park with the pkg. structures for a total of 909 sp. Three pkg. structures ranging 2.5-3.5 stories are being proposed to generate 1,184 sp. Nine hundred nine (909) sp. are dedicated for condo units; remaining 275 sp. to be utilized for shared pkg. Parking proposed equals 275 sp. shared in pkg. structure, 389 surface pkg. sp., and 119 temp. surface pkg. sp. from bldg area K (until Phase 2 construction) to total 783 sp. Surface parking may be built initially at parking structure locations in coordination with phasing and site plan approval. Parking number approximate to be finalized at site plan.

Phase 2:

Use	Area	Pkg. Req'd Weekday	Evening 6 p.m. - Midnight	Pkg. Req'd Weekend	Evening 6 p.m. - Midnight	Pkg. Req'd Night Time	Midnight - 6 a.m.
Office/Service/Bank (1sp/300sf)	85,400	100%	285	10%	28	50%	14
Retail (4.5sp/1000sf)	77,300	60%	209	90%	348	70%	243
Restaurant (13sp/1000sf)	30,400	50%	154	100%	395	100%	395
Hotel	50,000	75%	154	75%	154	100%	205
Elderly Day Care	7,250	100%	12	100%	12	100%	12
Total	250,350		857		937		237
Total Parking Required			857		937		237
Total Parking Proposed							

*Total does not include 60 reserve sp. south of bldg. P and 17 sp. for clubhouse (77 sp. total). Condo units self park with the pkg. structures for a total of 909 sp. Four pkg. structures ranging 2.5-4.5 stories are being provided to generate 1,504 sp. Nine hundred nine (909) sp. are dedicated for condo units; remaining 595 sp. to be utilized for shared pkg. Parking proposed equals 595 spaces shared in parking structure and 389 surface parking spaces to total 984 spaces. Surface parking may be built initially at parking structure locations in coordination with phasing and site plan approval. Parking number approximate to be finalized at site plan.

Parking Summary

Phase	Use	Pkg. Req'd	Pkg. Prop	Surplus
Phase 1	Residential Condo/Town/Cottage	899	958	59
	Shared Parking (Weekend 6 a.m. - 6 p.m.)	766	783	17
	Sub Total	1,665	1,741	76
	Reserved Spaces (South of bldg. P)		60	60
	Clubhouse	12	17	5
	Total		1,818	141
Phase 2	Use	Pkg. Req'd	Pkg. Prop	Surplus
	Residential Condo/Town/Cottage	899	958	59
	Service Station	8	9	1
	Shared Parking (Evening 6 p.m. - Midnight)	954	984	30
	Sub Total	1,861	1,951	90
	Reserved Spaces (South of bldg. P)		60	60
	Clubhouse	12	17	5
	Total		2,028	156

NOTES AND DETAILS

RODGERS CONSULTING
19867 Century Blvd., Suite 200
Columbia, MD 21044
301.948.8700
301.948.6256 (fax)
301.253.6600
rogers@rogers-consulting.com

DATE	BY	DATE
DESIGNED		
DRAWN	TPP	5-05
REVIEWED	CAJ	5-05
RODGERS CONTACT:		
RELEASE FOR		
BY		DATE

PARCELS 360, 563 AND N455

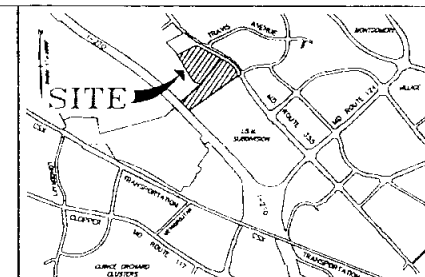
City of Catonsville
9th Election District
Montgomery County, Maryland

SCALE: AS SHOWN
JOB No. 776A
DATE: MAY, 2005
SHEET No. 4 of 9

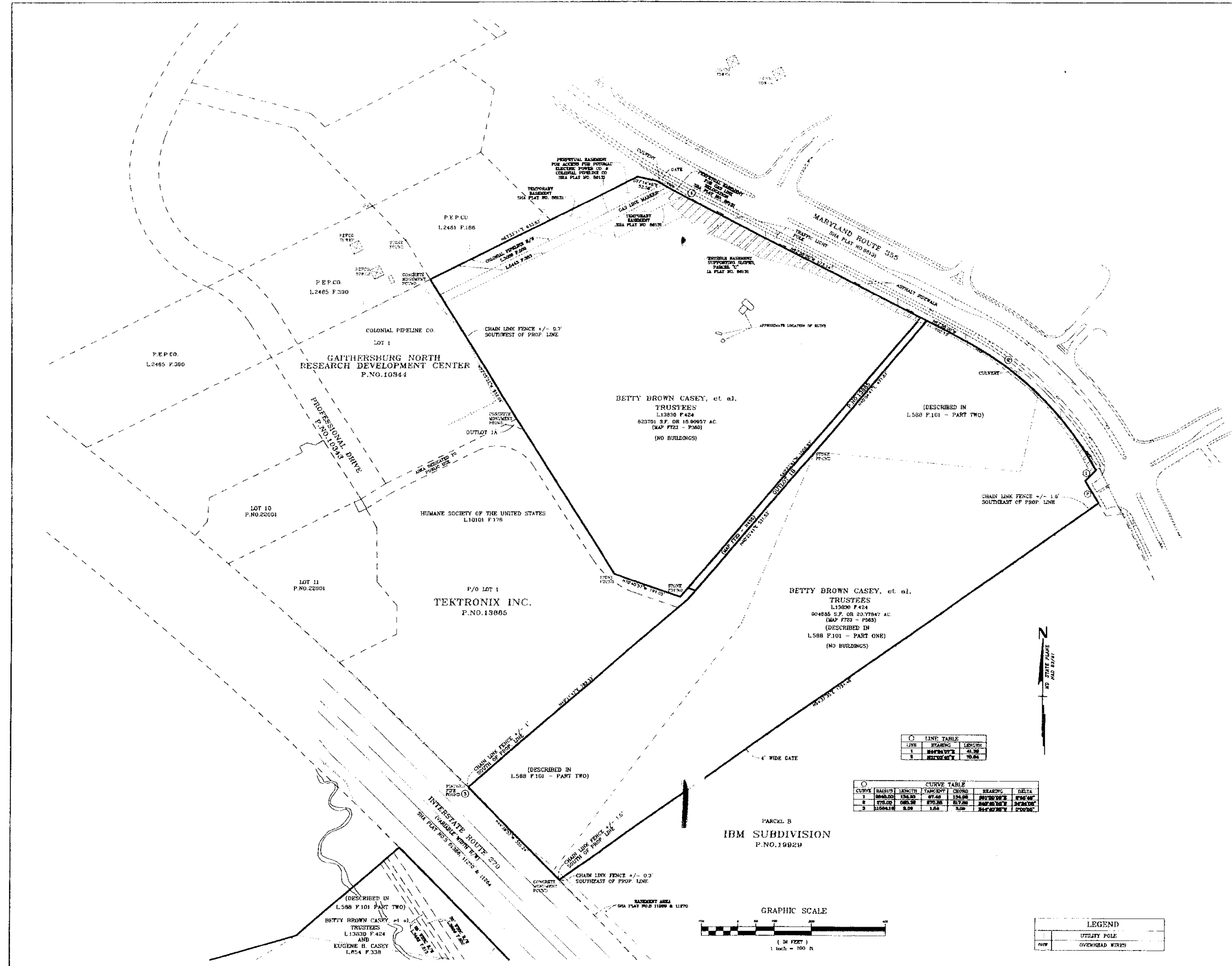
JOINT EXHIBIT #53
SDP-05-003

REVISION	DATE	REVISION	DATE	REVISION	DATE
REVISION FOR CITY OF CATHERSBURG	05-05-05				

Owner/Developer
BP Realty Investments, LLC
10660 Falls Road, Suite 100
Potomac, Maryland 20854
Ph: (301) 294-2099
Fax: (301) 294-2033
Contact: Mr. Peter J. Henry



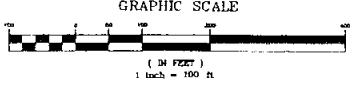
PRELIMINARY FOR CONSTRUCTION



LINE TABLE			
LINE	BEARING	LENGTH	REMARKS
1	S84°30'00"W	40.00	
2	S23°00'00"E	70.00	

CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
1	1000.00	150.00	97.00	S81°30'00"E	17°00'00"
2	1700.00	200.00	127.00	S67°00'00"E	24°00'00"
3	1100.00	8.00	1.00	S54°00'00"E	20°00'00"

- NOTES:
1. THE APPROXIMATE LOCATION OF STREAMS, ROADS AND HIGHWAY FEATURES SHOWN HEREON IS TAKEN FROM AERIAL PHOTOGRAPHY, DATE OF PHOTOGRAPHY 12-15-00.
 2. INTERIOR FENCELINES ARE NOT SHOWN.
 3. SEE SHEET 1 OF 2 FOR CERTIFICATION AND NOTES REGARDING TITLE COMMITMENT EXCEPTIONS.



LEGEND	
UTILITY POLE	
OVERHEAD WIRES	

REVISION	DATE	REVISION	DATE	REVISION	DATE	Owner/Developer
						BP Realty Investments, LLC
						10000 Falls Road, Suite 100
						Potomac, Maryland 20854
						Ph. (301) 299 2099
						Fax. (301) 299 2033
						Contact Mr. Peter J. Henry

BOUNDARY SURVEY



Rodgers Consulting, Inc.
19847 Century Blvd. Suite 200
Germantown, MD 20874
301 948 4700
301 948 6256 (fax)
101 253 8600

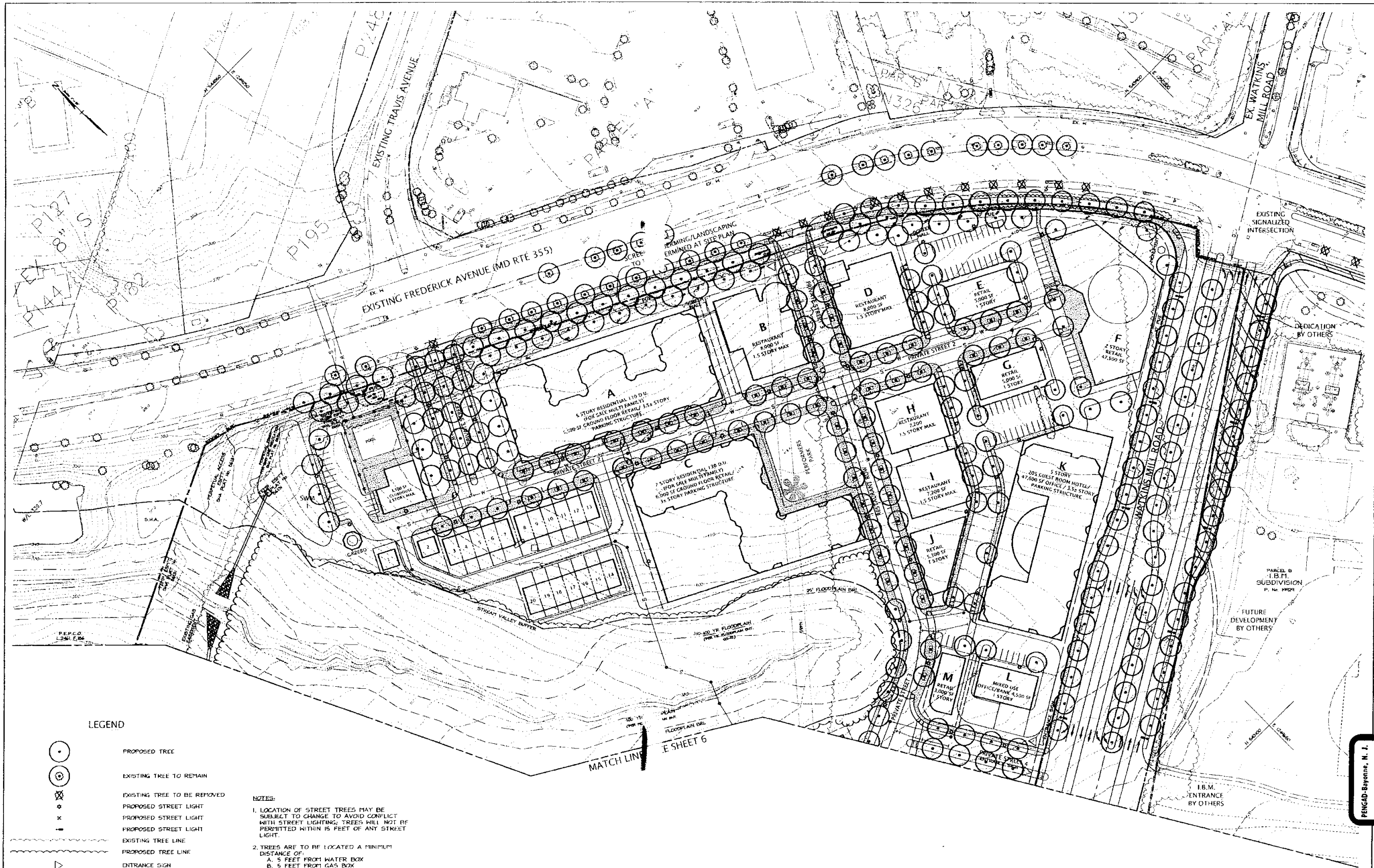
DATE	BY	DATE
BASE DATA	CADD	3-01
DESIGNED	GEN	3-01
DRAWN	GEN	3-01
REVIEWED	ENG	3-01
RODGERS CONTACT		
RELEASE FOR		
BY _____ DATE _____		

PARCELS 360, 563 AND N455

City of Gaithersburg
9th Election District
Montgomery County, Maryland

SCALE	1" = 100'
DATE	MAY, 2005
SHEET	5 OF 14

N:\VD-Peritgenery\TheKards\DWG\Civil\SEP05\Bnd Survey\dwg Sheet 05.dwg 05, 10:10am



LEGEND

- PROPOSED TREE
- EXISTING TREE TO REMAIN
- EXISTING TREE TO BE REMOVED
- PROPOSED STREET LIGHT
- PROPOSED STREET LIGHT
- PROPOSED STREET LIGHT
- EXISTING TREE LINE
- PROPOSED TREE LINE
- ENTRANCE SIGN
- ENTRANCE MONUMENT/SIGN
- ART IN PUBLIC PLACES

NOTES:

1. LOCATION OF STREET TREES MAY BE SUBJECT TO CHANGE TO AVOID CONFLICT WITH STREET LIGHTING; TREES WILL NOT BE PERMITTED WITHIN 15 FEET OF ANY STREET LIGHT.
2. TREES ARE TO BE LOCATED A MINIMUM DISTANCE OF:
 - A. 5 FEET FROM WATER BOX
 - B. 5 FEET FROM GAS BOX
 - C. 5 FEET FROM STORM DRAIN INLETS AND MANHOLES
 - D. 10 FEET FROM FIRE HYDRANTS
 - E. 15 FEET FROM STREET LIGHTS
3. TREES ARE NOT PERMITTED WITHIN LIMIT OF SIGHT. SEE MONTGOMERY COUNTY DESIGN STANDARDS No. MC-700.01, TREE LOCATIONS.

REVISION	DATE	REVISION	DATE	REVISION	DATE

Owner/Developer
BP Realty Investments, LLC
10000 Falls Road, Suite 100
Potsdam, Maryland 20854
Ph: (301) 399-2699
Fax: (301) 399-2033
Contact: Mr. Peter J. Henry

LANDSCAPE
AND
LIGHTING PLAN

RODGERS
CONSULTING

Enhancing the value of land and assets

Rodgers Consulting, Inc.
15827 Century Road, Suite 200
Lanham, MD 20886
301-948-4700
301-268-6756 (fax)
301-253-6605
www.rodgers.com

DATE	BY	DATE
DESIGNED	THP	5-05
DRAWN	THP	5-05
REVIEWED	GU	5-05
RODGERS (CONSULTANT)		
RELEASE FOR		
BY		

PARCELS 360, 563 AND N455

City of Gaithersburg
9th Election District
Montgomery County, Maryland

SCALE: 1" = 50'
ADD: 776A
DATE: MAY, 2005
SHEET NO: 7 OF 9

PENGAD-Bayonne, N. J.
**JOINT
EXHIBIT**
#56
SDP-05-003

Property Summary

	Floodplain	Wetland	Forest	Stream Valley Buffer	Total Tract
Casey West	15.29	3.6	76.33	57.91	28.01*
Casey East	3.46	0	20.47	40.09	5.86*
Total Areas	18.75	3.6	96.8	60	33.87*

Forests

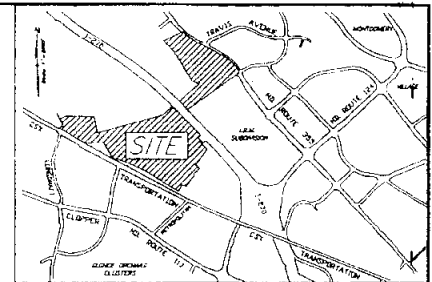
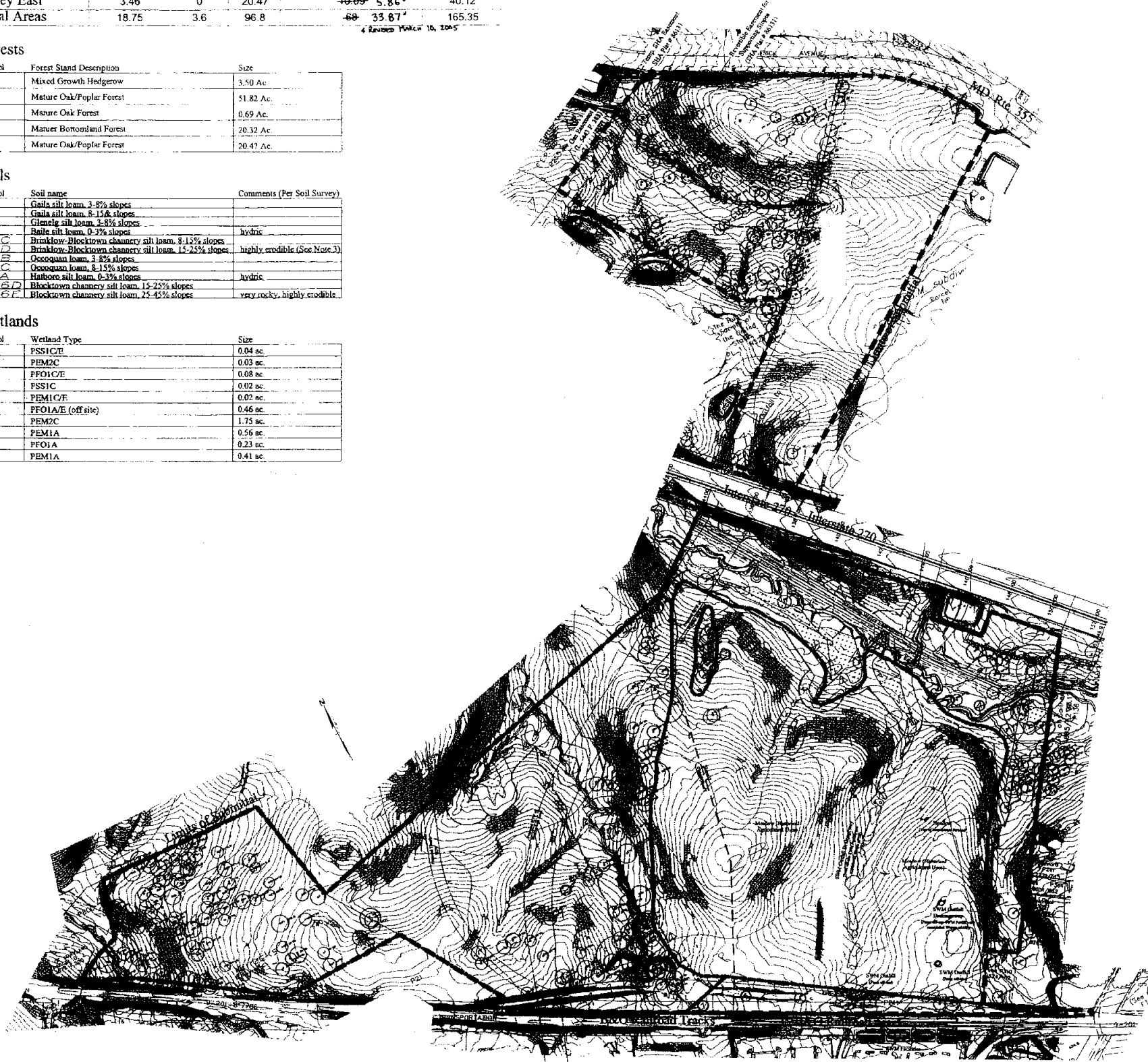
Symbol	Forest Stand Description	Size
①	Mixed Growth Hedgerow	3.50 Ac.
②	Mature Oak/Poplar Forest	51.82 Ac.
③	Mature Oak Forest	0.69 Ac.
④	Manure Bottomland Forest	20.32 Ac.
⑤	Mature Oak/Poplar Forest	20.47 Ac.

Soils

Symbol	Soil name	Comments (Per Soil Survey)
1B	Gaia silt loam, 3-8% slopes	
1C	Gaia silt loam, 8-15% slopes	
2B	Glenn silt loam, 3-8% slopes	
5A	Baile silt loam, 0-3% slopes	hydric
12C	Brinklow-Blacktown channery silt loam, 8-15% slopes	
12D	Brinklow-Blacktown channery silt loam, 15-25% slopes	highly erodible (See Note 3)
12B	Ocoquan loam, 3-8% slopes	
12C	Ocoquan loam, 8-15% slopes	
54A	Hatboro silt loam, 0-3% slopes	hydric
112D	Blacktown channery silt loam, 15-25% slopes	
116C	Blacktown channery silt loam, 25-45% slopes	very rocky, highly erodible

Wetlands

Symbol	Wetland Type	Size
△	PSSICE	0.04 ac.
△	PEM2C	0.03 ac.
△	PFO1CE	0.08 ac.
△	PSSIC	0.02 ac.
△	PEM1CE	0.02 ac.
△	PFO1A/E (off site)	0.46 ac.
△	PEM2C	1.75 ac.
△	PEM1A	0.56 ac.
△	PFO1A	0.23 ac.
△	PEM1A	0.41 ac.



VICINITY MAP
The Casey Property
Gaithersburg, MD
1" = 2000'

Casey Property Natural Resource Inventory/ Forest Stand Delineation

- The subject property is 161.34 Acres and is comprised of Parcels P510, P580, P531, P211 and P51455 of tax map pages FT 22, FT 23, and FT 13. The subject property is bisected by Interstate 270 running from across hereafter referred to as the western area and the eastern area.
- Boundary information was taken from the map dated July, 1997.
- Soils information is taken from Montgomery County Soils Survey, July 1995 issue, Maps 7 & 8. A geo-technical study was conducted for the soils mapped as 16D to determine erodibility. The locations of these test pits are indicated on this plan. The result of this study determined that the 16D soils in this area are not to be considered highly erodible. Please see the geo-technical report dated July 10, 2002 as issued by Ellis-Carson Engineering Associates, Inc. for additional information.
- Wetland delineation provided as part of the 1,270 multi-modal corridor study, Environmental Impact Statement. Wetland delineation was conducted by representatives of Rodgers Consulting, Inc. for use on this map.
- The ultimate 100 year flood plain is taken from FEMA Flood Insurance Rate Maps for the City of Gaithersburg (FEMA, 1992). The subject property contains 6.96 acres of floodplain.
- The topography shown is from an aerial topographic survey completed in 2001 and is shown in 2' contour intervals.
- The location of individual specimen trees is by field survey utilizing a Global Positioning System with sub-meter accuracy.
- Streams on the site are the Casey I-P and are part of Green Science Creek and its tributaries.
- Existing forest cover = 96.80 Acres.
- Site visits for purposes of conducting this inventory occurred in fall of 2000, Feb. of 2001, and Summer 2004.
- The Stream Valley Buffer depicted on this plan is based on the best available information at this time. Since the limits of the property used to define the Stream Valley Buffer are by their very nature dynamic, the buffer is subject to further refinement as additional data becomes available.
- For the City of Gaithersburg's Environmental Standards for Development Regulations, as part of the site plan application, the applicant will conduct a wildlife conservation plan.
- Existing and adjacent sources of noise includes vehicle traffic traveling on I-270 and rail traffic on the railroad line to the west of the property. For the Environmental Standards for Development Regulations, as part of the site plan application, the applicant will conduct a noise study to determine existing and potential sources of noise and noise abatement recommendations.

Legend

	Stream Valley Buffer
	Floodplain Delineation
	Floodplain BRL
	Wetlands delineation
	Wetland Buffer (50' City)
	Wetland Area Reference Number
	Forest Stand and Reference Number
	Specimen Tree w/ Critical Root Zone
	Spring/Seep Location
	Soils Lines
	Soil Text Type
	Existing Treeline
	15-25% Slopes
	Slopes 25% and greater
	Existing Perennial/Intermittent Stream
	Locations of Test Pits for soil erodibility study

Approval with the following conditions:

- A final study is required per Section 34 of the Environmental Standards for Development Regulation.
- A wildlife management plan is required per Section 34 of the Environmental Standards for Development Regulation.
- A buffer break analysis is required per Section 29 of the Environmental Standards for Development Regulation.
- Wetland boundaries and associated buffers as determined by the U.S. Army Corps of Engineers' A jurisdiction determination (J.D.) report is pending review.

Qualified Professional Certification

I hereby certify that this plan was prepared to the best of my knowledge and belief in accordance with the Maryland Forest Conservation Law and the City of Gaithersburg's approved and adopted Environmental Standards.

[Signature]
Date: 11/16/2004
Rodgers Consulting, Inc.
19847 Century Blvd., Suite 200
Gaithersburg, MD 20878
301.948.4700
301.948.6255 (fax)
301.757.6600
www.rodgers.com

RODGERS
CONSULTING

Enhancing the value of land assets

Casey Property
Election District # 9
City of Gaithersburg, Montgomery County, Maryland

Recertified
Natural Resources Inventory/
Forest Stand Delineation

Developer:
BP Realty Investments, LLC
6723 Whittier Ave., Ste. 306C
McLean, Virginia 22102
Attn: Mr. Peter J. Henry

REVISION	DATE	REVISION	DATE	REVISION	DATE	REVISION	DATE
1. Revised per City requirements (12/2/04)	12/2/04						

JOINT
EXHIBIT
#58
SDP-05-003

Casey East Parking Tabulation

Parking Required Per Use

Phase I	SF/DU/Emp	Pkg Ratio	Pkg. Req'd
4 Restaurants (Class A):	30,400	13 sp/1000 sf	395
3 Mixed Use Bank/Office:	33,700	1sp/300 sf	112
7 Mixed Use Retail:	77,300	4.5 sp/1000 sf	348
Clubhouse	3,530	1/300 SF	12
1 Elderly Day Care:	8-emp	1.5 sp/emp	12
Residential -Condo Units:	425	2 B.R. MF = 2 sp DU	850
Residential - Int.Towns.:	18	2.5 sp/DU (Gar.sp.=0.5 sp.)	45
Residential - Urban Cottage:	2	2.0 sp/DU (Gar.sp.=0.5 sp.)	4
Total			1776
Phase 2	SF/DU/Emp	Pkg Ratio	Pkg. Req'd
4 Restaurants (Class A):	30,400	13 sp/1000 sf	395
5 Mixed Use Bank/Office:	85,400	1sp/300 sf	285
7 Mixed Use Retail:	77,300	4.5 sp/1000 sf	348
1 Service Station:	2-bays/4-emp	2/bay + 1/employee	8
1 Hotel	205	1/Guest RM + 400 SF	205
Clubhouse	3,530	1/300 SF	12
1 Elderly Day Care:	8-emp	1.5 sp/emp	12
Residential -Condo Units:	425	2 B.R. MF = 2 sp DU	850
Residential - Int.Towns.:	18	2.5 sp/DU (Gar.sp.=0.5 sp.)	45
Residential - Urban Cottage:	2	2.0 sp/DU (Gar.sp.=0.5 sp.)	4
Total			2463

Shared Parking Required

Phase I: Use	Area	Pkg. Req'd Weekday Day 6 a.m. - 6 p.m.		Evening 6 p.m. - Midnight		Pkg. Req'd Weekend Day 6 a.m. - 6 p.m.		Evening 6 p.m. - Midnight		Pkg. Req'd Night Time Midnight - 6 a.m.	
Office/Service/Bank (1sp/300sf)	33,700	100%	112	10%	11	60%	11	50%	6	50%	6
Retail (4.5sp/1000sf)	77,300	60%	209	90%	313	100%	348	70%	243	50%	17
Restaurant (13sp/1000sf)	30,400	50%	198	100%	395	100%	395	100%	395	10%	40
Elderly Day Care	7,290	100%	12	100%	12	100%	12	100%	12	100%	12
Total	148,690		531		731		766		656		75
Total Parking Required			531		731		766		656		75
*Total Parking Proposed							783				
							Surplus				
							17				

*Total does not include 60 reserve sp. south of bldg. P; and 17 sp. for clubhouse (77 sp. total). Condo units self park w/in the pkg. structures for a total of 909 sp. Three pkg. structures ranging 2.5-3.5 stories are being proposed to generate 1,184 sp. Nine hundred nine (909) sp. are dedicated for condo units; remaining 275 sp. to be utilized for shared pkg. Parking proposed equals 275 sp. shared in pkg. structure, 389 surface pkg. sp., and 119 temp. surface pkg. sp. from bldg area K (until Phase 2 construction) to total 783 sp. Surface parking may be built initially at parking structure locations in coordination with phasing and site plan approval. Parking number approximate to be finalized at site plan.

Phase 2: Use	Area	Pkg. Req'd Weekday Day 6 a.m. - 6 p.m.		Evening 6 p.m. - Midnight		Pkg. Req'd Weekend Day 6 a.m. - 6 p.m.		Evening 6 p.m. - Midnight		Pkg. Req'd Night Time Midnight - 6 a.m.	
Office/Service/Bank (1sp/300sf)	85,400	100%	285	10%	28	10%	28	50%	14	50%	14
Retail (4.5sp/1000sf)	77,300	60%	209	90%	313	100%	348	70%	243	50%	17
Restaurant (13sp/1000sf)	30,400	50%	198	100%	395	100%	395	100%	395	10%	40
Hotel	50,000	75%	154	100%	400	75%	154	100%	205	75%	154
Elderly Day Care	7,290	100%	12	100%	12	100%	12	100%	12	100%	12
Total	250,390		857		954		937		870		237
Total Parking Required			857		954		937		870		237
*Total Parking Proposed					984						
					Surplus		30				

*Total does not include 60 reserve sp. south of bldg. P and 17 sp. for clubhouse (77 sp. total). Condo units self park w/in the pkg. structures for a total of 909 sp. Four pkg. structures ranging 2.5-3.5 stories are being provided to generate 1,504 sp. Nine hundred nine (909) sp. are dedicated for condo units; remaining 595 sp. to be utilized for shared pkg. Parking proposed equals 595 spaces shared in parking structure and 389 surface parking spaces to total 984 spaces. Surface parking may be built initially at parking structure locations in coordination with phasing and site plan approval. Parking number approximate to be finalized at site plan.

Parking Summary

Phase I		Pkg. Req'd	Pkg. Prop.	Surplus
Use				
Residential Condo/Towns/Cottage:		899	958	59
Shared Parking (Weekend 6 a.m.-6 p.m.):		766	783	17
Sub Total:		1,665	1741	76
Reserved Spaces (South of bldg. P):			60	60
Clubhouse		12	17	5
Total:		1,677	1818	141
Phase 2		Pkg. Req'd	Pkg. Prop.	Surplus
Use				
Residential Condo/Towns/Cottage:		899	958	59
Service Station:		8	9	1
Shared Parking (Evening 6 p.m.-Midnight):		954	984	30
Sub Total:		1,861	1951	90
Reserved Spaces (South of bldg. P):			60	60
Clubhouse		12	17	5
Total:		1,872	2028	156



14. Building sizes and uses:

Phase 1:

4 Restaurants (class A):

<u>Building</u>	<u>Area</u>
B	8,000 s.f.
D	8,000 s.f.
H	7,200 s.f.
I	7,200 s.f.
total:	30,400 s.f.

2 Mixed Use Bank/Office:

L	4,500 s.f.
P	28,000 s.f.
total:	32,500 s.f.

7 Mixed Use Retail:

A	5,500 s.f.
C	6,000 s.f.
E	5,000 s.f.
F	47,500 s.f.
G	5,000 s.f.
J	5,300 s.f.
M	3,000 s.f.
total:	77,300 s.f.

1 Elderly Day Care:

Q	7,290 s.f.
---	------------

1 Storage

P	1,200 s.f.
---	------------

1 Club House:

club house	3,500 s.f.
------------	------------

18 Residential integral TH:
(4-story max.)

lots 3-20

2 Cottage Unit (SF):
(4-story max.)

lots 1-2

3 Multi Family Bldgs:

A	110 D.U.
C	130 D.U.
R	185 D.U.

Phase 2:

2 Mixed Use Bank/Office:

K	47,600 s.f.
O	4,100 s.f.
total:	51,700 s.f.

1 Hotel:

K	205 Guest Rooms
---	-----------------

1 Service Station/Retail:

N	4,800 s.f.
---	------------



PEUCAD-Bayonne, N. J.

**JOINT
EXHIBIT**
#61

SDP-05-003

From: "Crispell, Bruce" <Bruce_Crispell@mcpsmd.org>
To: "Fred Felton" <FFelton@gaitthersburgmd.gov>
Date: 01/03/2006 2:34:30 PM
Subject: RE: Student generation for Casey East

Fred,
Yes, the Watkins Mill cluster schools pass the county AGP schools test
(just as all clusters in the county pass the test.) So by that standard
there is adequate capacity.

Bruce Crispell

Director, Division of Long-range Planning
Montgomery County Public Schools
(301) 279-3334 (office)
(301) 279-0623 (fax)

7361 Calhoun Place - Suite 400
Rockville, Maryland 20855-2765
bruce_crispell@mcpsmd.org

-----Original Message-----

From: Fred Felton [mailto:FFelton@gaitthersburgmd.gov]
Sent: Tuesday, January 03, 2006 2:06 PM
To: Crispell, Bruce
Cc: Caroline Seiden
Subject: RE: Student generation for Casey East

Bruce,

Thanks for the prompt response. Just to clarify, are each of the
schools going to have actual classroom capacity or AGP capacity?

Thanks,
Fred

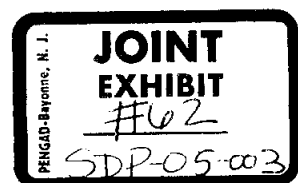
>>> "Crispell, Bruce" <Bruce_Crispell@mcpsmd.org> 01/03/06 11:08 AM
>>>
Fred,

The Casey East project (at Route 355 and Watkins Mill Road extended)
is
located in the service areas for Watkins Mill Elementary School,
Montgomery Village Middle School, and Watkins Mill High School.
Following is the estimated student generation using TND sampled rates
multi-family structured parking and townhouse communities.

Yield for 220 condos and 19 townhouses (TND style):

Grades K - 5 = 12
Grades 6 - 8 = 6
Grades 9-12 = 7

Watkins Mill ES has a 16 room addition and gymnasium opening next
year.



WATKINS MILL CLUSTER

Projected Enrollment and Space Availability Effects of Recommended FY 2007-2012 CIP and Non-CIP Actions on Space Available

Schools			Actual	Projections							
			05-06	06-07	07-08	08-09	09-10	10-11	11-12	2015	2020
Watkins Mill HS		Program Capacity	1863	1876	1876	1876	1876	1876	1876	1876	1876
		Enrollment	2055	1805	1715	1666	1593	1609	1631	1650	1700
		Available Space	(192)	71	161	210	283	267	245	226	176
		Comments	Boundary Recommend.	+2 SLC							
Clarksburg Area HS		Program Capacity	0	1600	1600	1600	1600	1600	1600	1600	1600
		Enrollment	0	954	1274	1294	1314	1334	1354	1600	1800
		Available Space	0	646	326	306	286	266	246	0	(200)
		Comments	Boundary Recommend.	Opens*		+2 ED					
Montgomery Village MS		Program Capacity	803	803	803	803	803	803	803	803	803
		Enrollment	741	751	717	718	725	696	692	700	750
		Available Space	62	52	86	85	78	107	111	103	53
		Comments									
Neelsville MS		Program Capacity	918	918	918	918	918	918	918	918	918
		Enrollment	727	814	883	928	913	910	907	900	950
		Available Space	191	104	35	(10)	5	8	11	18	(32)
		Comments	Boundary Recommend.								
Captain James Daly ES	CSR	Program Capacity	496	496	496	496	496	496	496		
		Enrollment	523	541	542	548	561	561	575		
		Available Space	(27)	(45)	(46)	(52)	(65)	(65)	(79)		
		Comments									
South Lake ES	CSR	Program Capacity	737	737	737	737	737	737	737		
		Enrollment	562	566	581	603	605	613	625		
		Available Space	175	171	156	134	132	124	112		
		Comments	+12 Rooms +Gym								
Stedwick ES	CSR	Program Capacity	423	423	423	694	694	694	694		
		Enrollment	592	582	569	565	581	596	604		
		Available Space	(169)	(159)	(146)	129	113	98	90		
		Comments		Planning For Add.		+12 Rooms					
Watkins Mill ES	CSR	Program Capacity	291	629	629	629	629	629	629		
		Enrollment	593	592	597	598	596	608	604		
		Available Space	(302)	37	32	31	33	21	25		
		Comments		+16 Rooms +Gym							
Whetstone ES	CSR	Program Capacity	449	449	449	449	449	449	449		
		Enrollment	577	620	619	627	633	639	655		
		Available Space	(128)	(171)	(170)	(178)	(184)	(190)	(206)		
		Comments	+1 PEP	Facility Planning For Add.							
Cluster Information		HS Utilization	110%	59%	59%	58%	56%	56%	57%	93%	101%
		HS Enrollment	2055	2060	2065	2016	1943	1959	1981	3250	3500
		MS Utilization	85%	84%	82%	85%	84%	82%	82%	93%	99%
		MS Enrollment	1468	1440	1410	1456	1448	1416	1409	1600	1700
		ES Utilization	119%	106%	107%	98%	99%	101%	102%	103%	103%
		ES Enrollment	2847	2901	2908	2941	2976	3017	3063	3100	3100